

1 XAVIER BECERRA
2 Attorney General of California
3 MARK R. BECKINGTON
4 ANTHONY R. HAKL
5 Supervising Deputy Attorneys General
6 GABRIELLE D. BOUTIN, SBN 267308
7 ANNA T. FERRARI, SBN 261579
8 TODD GRABARSKY, SBN 286999
9 NOREEN P. SKELLY, SBN 186135
10 R. MATTHEW WISE, SBN 238485
11 Deputy Attorneys General
12 1300 I Street, Suite 125
13 P.O. Box 944255
14 Sacramento, CA 94244-2550
15 Telephone: (916) 210-6046
16 Fax: (916) 324-8835
17 E-mail: Matthew.Wise@doj.ca.gov
18 *Attorneys for Plaintiff State of California, by and*
19 *through Attorney General Xavier Becerra*

11 [ADDITIONAL COUNSEL LISTED ON
12 SIGNATURE PAGE]

13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION

16
17 STATE OF CALIFORNIA, by and through
18 Attorney General Xavier Becerra;
19 COUNTY OF LOS ANGELES; CITY OF
20 LOS ANGELES; CITY OF FREMONT;
CITY OF LONG BEACH; CITY OF
OAKLAND; CITY OF STOCKTON,

21 Plaintiffs,

22 v.

23 WILBUR L. ROSS, JR., in his official
24 capacity as Secretary of the U.S.
25 Department of Commerce; U.S.
26 DEPARTMENT OF COMMERCE; RON
JARMIN, in his official capacity as Acting
27 Director of the U.S. Census Bureau; U.S.
CENSUS BUREAU; DOES 1-100,

28 Defendants.

Case No. 3:18-cv-01865-RS

**JOINT PRETRIAL STATEMENT AND
[PROPOSED] ORDER**

Courtroom: 3
Judge: The Honorable Richard G.
Seeborg
Trial Date: January 7, 2019
Action Filed: March 26, 2018

1
2 **CITY OF SAN JOSE, a municipal**
3 **corporation; and BLACK ALLIANCE FOR**
4 **JUST IMMIGRATION, a California Non-**
5 **Profit Corporation,**

Case No. 3:18-cv-02279-RS

6 Plaintiffs,
7
8 v.
9

10 **WILBUR L. ROSS, JR., in his official**
11 **capacity as Secretary of the U.S.**
12 **Department of Commerce; U.S.**
13 **DEPARTMENT OF COMMERCE; RON**
14 **JARMIN, in his official capacity as Acting**
15 **Director of the U.S. Census Bureau; U.S.**
16 **CENSUS BUREAU,**

17 Defendants.
18

19 The parties to the above-entitled actions submit this Joint Pretrial Statement and Proposed
20 Order pursuant to the Guidelines for Final Pretrial Conference in Bench Trials before District
21 Judge Richard Seeborg.

22 1. Substance of the Action

23 **The Parties**

24 Plaintiffs in *State of California v. Ross* are the State of California, County of Los Angeles,
25 City of Los Angeles, City of Fremont, City of Long Beach, City of Oakland, City of Stockton,
26 and Plaintiff-in-Intervention Los Angeles Unified School District (LAUSD) (collectively, CA
Plaintiffs). Plaintiffs in *City of San Jose v. Ross* are the City of San Jose and the Black Alliance
for Just Immigration (BAJI) (collectively, SJ Plaintiffs). Plaintiffs in both cases are referred to
herein collectively as “Plaintiffs.” Defendants in both cases are Secretary of Commerce Wilbur
L. Ross, Jr., the U.S. Department of Commerce (Commerce), Ron Jarmin, in his capacity as
performing the non-exclusive functions and duties of the Director of the U.S. Census Bureau, and
the U.S. Census Bureau (Bureau).

Plaintiffs' Pleadings and Claims

2 Plaintiffs in *State of California v. Ross*, in their Amended Complaint, ECF No. 12, and in
3 LAUSD's Complaint-in-Intervention, ECF No. 47-1, and Plaintiffs in *City of San Jose v. Ross*, in
4 their Complaint, ECF No. 1, bring two claims.

5 First, Plaintiffs contend that adding a citizenship question to the 2020 Census questionnaire
6 violates Article I, Section 2, Clause 3 of the U.S. Constitution, the “actual Enumeration” clause.
7 *See U.S. Const. art. I, § 2, cl. 3.* (In a companion claim, the SJ Plaintiffs also contend that adding
8 a citizenship question to the 2020 Census questionnaire violates Section 2 of the Fourteenth
9 Amendment to the U.S. Constitution, the Apportionment Clause. *U.S. Const. amend. XIV, § 2.*)
10 Plaintiffs claim that the question will diminish the response rates of immigrants and Latinos in
11 particular, ultimately leading to an undercount of those groups. Because Plaintiffs have among
12 the largest immigrant and Latino populations in the country, adding the citizenship question will
13 affect them disproportionately, will put California at risk of losing at least one congressional seat,
14 and will reduce congressional representation for BAJI’s members. The citizenship question is
15 therefore unconstitutional because it does not bear “a reasonable relationship to the
16 accomplishment of an actual enumeration of the population, keeping in mind the constitutional
17 purpose of the census,” which is “to determine the apportionment of the Representatives among
18 the States.” *Wisconsin v. City of New York*, 517 U.S. 1, 20 (1996).

19 Second, Plaintiffs contend that the decision to add a citizenship question to the 2020 Census
20 questionnaire must be set aside under the Administrative Procedure Act (APA) because the action
21 is “arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law,”
22 “contrary to constitutional right, power, privilege or immunity,” and “in excess of statutory
23 jurisdiction, authority, or limitations, or short of statutory right.” 5 U.S.C. § 706. The decision to
24 add a citizenship question was arbitrary and capricious because, among other reasons, Secretary
25 Ross failed to disclose a plausible, non-pretextual basis for the decision, the decision runs counter
26 to evidence before the agency, and Secretary Ross failed to consider whether follow-up
27 enumeration efforts would prevent an undercount, whether the citizenship question had been
28 adequately tested, and whether the citizenship question would affect data quality. The decision

1 was contrary to and in excess of the law because it violated the Census Act's reporting
 2 requirement at 13 U.S.C. § 141(f) and the Census Act's requirement at 13 U.S.C. § 6(c) that, in
 3 the performance of census-related duties, the Secretary of Commerce, to the maximum extent
 4 possible, use administrative records rather than make direct inquiries of respondents.

5 **Defendants' Defenses**

6 Defendants' position is that Plaintiffs lack standing to pursue any of their claims. Should
 7 the Court reach the merits, Defendants position is that the Secretary's March 26, 2018 decision to
 8 reinstate a citizenship question on the 2020 census questionnaire is reasonable and fully comports
 9 with both the APA and the Enumeration and Apportionment Clauses. In addition, Defendants
 10 maintain that Plaintiffs will be unable to demonstrate that the Secretary's stated rationale is
 11 pretextual.

12 2. Relief Prayed

13 Plaintiffs request that the Court (1) issue a declaration that adding a question on citizenship
 14 to the 2020 Census questionnaire violates Article I, Section 2, Clause 3 of the U.S. Constitution
 15 as well as Section 2 of the Fourteenth Amendment to the U.S. Constitution; (2) issue a declaration
 16 that the decision to add a question on citizenship to the 2020 Census questionnaire was arbitrary
 17 and capricious, not in accordance with law, and beyond statutory authority, in violation of the
 18 APA; (3) issue a preliminary and permanent injunction prohibiting all Defendants and those
 19 acting in concert with them from adding a question on citizenship to the 2020 Census
 20 questionnaire; (4) recuse Secretary Ross and the Department of Commerce from participating in
 21 any decision regarding adding a citizenship question on remand, should the Court determine that
 22 remand is necessary; (5) award Plaintiffs costs, expenses and reasonable attorney fees; and (5)
 23 award such other relief as the Court deems just and proper.

24 Defendants respectfully request that the Court deny all of Plaintiffs' claims and enter
 25 judgment in their favor.

26 3. Undisputed Facts

27 A list of the undisputed facts is attached as Exhibit A.

28

1 4. Disputed Factual Issues

2 Plaintiffs contend that the following factual issues are in dispute:

3 **Standing**

- 4 a. Plaintiffs allege that they have been and will be injured because they have spent time
5 and resources on outreach efforts to mitigate the harm that will be caused by adding a
6 citizenship question to the 2020 Census questionnaire.
- 7 b. Plaintiffs allege that adding a citizenship question to the 2020 Census questionnaire will
8 cause a substantial risk of a differential undercount of immigrants and Latinos,
9 artificially depressing the population count in California and the other Plaintiff
10 jurisdictions, and resulting in a loss of federal funding, political power, and
11 congressional representation.
- 12 c. Plaintiffs allege that adding a citizenship question to the 2020 Census questionnaire will
13 harm the quality of census population characteristic data, impairing state and local
14 decisions related to services and funding for underrepresented subgroups, including
15 immigrants and Latinos. *See Havens Realty Corp. v. Coleman*, 455 U.S. 363, 373-74
16 (1982).
- 17 d. Plaintiff BAJI alleges that adding a citizenship question to the 2020 Census
18 questionnaire will instill fear and intimidation in Black immigrant communities, causing
19 BAJI members to be injured from the loss of “reputational and privacy interests that
20 have long been protected in the law.” *See Robins v. Spokeo, Inc.*, 867 F.3d 1108, 1114
21 (9th Cir. 2017), *cert. denied*, 138 S. Ct. 931 (2018).
- 22 e. Plaintiffs allege that their injuries are traceable to the addition of a citizenship question
23 to the 2020 Census questionnaire and will be redressed by the removal of the question
24 because they are “trusted partners” of the Bureau and have been encouraged by
25 Defendants to expend resources to mitigate the effects of adding the citizenship
26 question, and because the question will directly cause some households, particularly
27 immigrant and Latino households, not to respond to any part of the 2020 Census.

APA Claim

- a. Plaintiffs allege that Secretary Ross’s decision to add a citizenship question to the 2020 Census questionnaire was arbitrary and capricious because he failed to disclose relevant information in his Decision Memorandum that pertained to the decision to add the question.
- b. Plaintiffs allege that Secretary Ross’s stated rationale for adding a citizenship question to the 2020 Census questionnaire—to enhance the U.S. Department of Justice’s enforcement of Section 2 of the Voting Rights Act—was pretextual, and thus, should be set aside as arbitrary and capricious given the requirement that the decisionmaker must not rely on factors that Congress did not intend him to consider and must disclose the basis of his decision. *See Motor Vehicle Mfrs. Ass’n v. State Farm Mut. Auto. Ins. Co.*, 463 U.S. 29, 43 (1983).
- c. Plaintiffs allege that Secretary Ross’s decision to add a citizenship question to the 2020 Census questionnaire was arbitrary and capricious because it ignores and contradicts evidence the Bureau put forth before the agency showing that the question would depress census response rates and reduce census accuracy, and because key conclusions in the Decision Memorandum, including but not limited to the conclusion that citizenship data “will be more accurate with the question than without it,” are unsupported by the evidence. AR 1319.
- d. Plaintiffs allege that Secretary Ross’s decision to add a citizenship question to the 2020 Census questionnaire was arbitrary and capricious because it runs counter to the evidence that the data that would be obtained from the decennial census would not improve Voting Rights Act enforcement.
- e. Plaintiffs allege that Secretary Ross’s decision to add a citizenship question to the 2020 Census questionnaire was arbitrary and capricious because it runs counter to the evidence that asking a citizenship question in conjunction with using administrative records would not yield more accurate, usable, or complete citizenship data than using administrative records alone.

1 f. Plaintiffs allege that Secretary Ross's decision to add a citizenship question to the 2020
2 Census questionnaire was arbitrary and capricious because the Secretary's Decision
3 Memorandum runs counter to the evidence, in that it contains flawed assertions that are
4 not based on any supporting evidence or are directly contradicted by the evidence in the
5 record.

6 g. SJ Plaintiffs allege that Secretary Ross's decision that providing DOJ with data in
7 response to its request outweighs any adverse effect that may result from persons not
8 responding to the census is both arbitrary and capricious because it is counter to the
9 evidence and not supported by substantial evidence in the record, but also is not
10 supported by explanation in the administrative record and is implausible in light of the
11 Secretary's knowledge of and participation in the events leading to DOJ's requesting
12 that the citizenship question be added.

13 h. SJ Plaintiffs allege that Secretary Ross's decision to add a citizenship question to the
14 2020 Census questionnaire was arbitrary and capricious because he failed to consider
15 that, even if the DOJ needed block-level CVAP data to enforce Section 2 of the Voting
16 Rights Act, no evidence suggests that obtaining that data through a citizenship question
17 on the Decennial Census, rather than through other means would provide more accurate
18 data.

19 i. Plaintiffs allege that Secretary Ross's decision to add a citizenship question to the 2020
20 Census questionnaire was arbitrary and capricious because he failed to consider an
21 important aspect of the problem, namely whether the question would cause an
22 undercount.

23 j. Plaintiffs allege that Secretary Ross's decision to add a citizenship question to the 2020
24 Census questionnaire was arbitrary and capricious because he failed to consider an
25 important aspect of the problem, in that his Decision Memorandum did not address his
26 statutory obligations under 13 U.S.C. § 141(f) and 13 U.S.C. § 6(c).

27 k. Plaintiffs allege that Secretary Ross's decision to add a citizenship question to the 2020
28 Census questionnaire was arbitrary and capricious because he failed to consider an

1 important aspect of the problem, in that his Decision Memorandum did not address the
2 need to conduct adequate pretesting of the question and the census questionnaire.

3 1. Plaintiffs allege that Secretary Ross's decision to add a citizenship question to the 2020
4 Census questionnaire was arbitrary and capricious because he failed to consider an
5 important aspect of the problem, in that his Decision Memorandum did not address the
6 effect of the Bureau's confidentiality obligations and disclosure avoidance practices on
7 the fitness of citizenship data for DOJ's stated purposes.

8 m. Plaintiffs allege that Secretary Ross's decision to add a citizenship question to the 2020
9 Census questionnaire was arbitrary and capricious because he failed to consider an
10 important aspect of the problem, in that his Decision Memorandum did not address the
11 nature and quality of injuries that may result from an inaccurate census count and
12 characteristic data, including denial of just political representation and services.

13 n. Plaintiffs allege that Secretary Ross's decision to add a citizenship question to the 2020
14 Census questionnaire was contrary to law because the Bureau failed to conduct
15 adequate pretesting of the question, and no exception to the Bureau's pretesting
16 requirements applies given that the question performs poorly on the American
17 Community Survey.

18 o. Plaintiffs allege that Secretary Ross's decision to add a citizenship question to the 2020
19 Census questionnaire was in excess of his statutory authority under 13 U.S.C. § 141(f)
20 because it was not justified by new circumstances.

21 p. Plaintiffs allege that Secretary Ross's decision to add a citizenship question to the 2020
22 Census questionnaire was in excess of his statutory authority under 13 U.S.C. § 6(c)
23 because the Secretary failed to adhere to the requirement that, “[t]o the maximum extent
24 possible and consistent with the kind, timeliness, quality and scope of the statistics
25 required,” he perform his census-related duties by using information from other
26 government agencies “instead of conducting direct inquiries.” 13 U.S.C. § 6(c).

Enumeration/Apportionment Clause Claims

a. Plaintiffs allege that Defendants violated the Enumeration Clause because adding a citizenship question to the 2020 Census questionnaire is unreasonable in light of the constitutional interest in accuracy and the constitutional purpose of apportionment, including because it creates an unreasonable risk that California will lose at least one congressional seat as a result of a differential undercount of immigrants and Latinos.

Defendants contend that the following factual issues are in dispute:

Standing

Defendants contend that Plaintiffs cannot show that the Secretary’s decision to include a citizenship question will cause any injury in fact, and that any potential decline in self-response cannot specifically be attributed to the citizenship question rather than the general macro-environment. In connection with these issues, the following facts are in dispute:

- a. Whether the Census Bureau's comprehensive non-response follow-up (NRFU) operation, which includes multiple mailings, in-person follow-up visits, the use of high-quality administrative records and proxy responses from knowledgeable individuals, will mitigate any potential decline in self-response such that there will be a complete and accurate enumeration.
- b. Whether the use of imputation to enumerate the limited number of individuals not captured by NRFU operations will accomplish a complete and accurate enumeration.
- c. Whether any undercount that remains after NRFU operations and imputation will be “differential,” or will undercount a particular racial or ethnic group to a greater or lesser extent than the overall net undercount or overcount of the population.
- d. Whether any differential undercount that remains after NRFU operations and imputation will be sufficiently large to cause any impact on apportionment or federal funding.
- e. Whether any undercount that occurs in 2020 can be shown to be specifically attributable to the citizenship question, rather than to other, independent factors, such as the general macro-environment.

- 1 f. Whether any purported degradation in data quality potentially resulting from inclusion
- 2 of the citizenship question, even if a differential undercount remains, will cause any
- 3 cognizable, concrete harm to Plaintiffs.
- 4 g. Whether the expenditure of any additional funds by Plaintiffs is based upon a
- 5 reasonable fear of a concrete, imminent harm resulting from inclusion of the citizenship
- 6 question.
- 7 h. Whether Plaintiffs can establish any reasonable fear of a loss of privacy resulting from
- 8 inclusion of the question in light of the Census Bureau's disclosure avoidance process,
- 9 which implements the strict confidentiality protections enshrined in Title XIII of the
- 10 U.S. Code.

11 **APA Claim**

12 Defendants contend that the merits of Plaintiffs' Administrative Procedure Act (APA)
 13 claim must be decided on the basis of the administrative record, without consideration of extra-
 14 record evidence produced in discovery. *See State of California v. Ross*, ECF No. 118, and *City of*
 15 *San Jose v. Ross*, ECF No. 124, Defs.' Mot. in Limine. "When a party seeks review of agency
 16 action under the APA before a district court, the district judge sits as an appellate tribunal ... and
 17 the complaint, properly read, actually presents no factual allegations, but rather only arguments
 18 about the legal conclusion to be drawn about the agency action." *Herguan Univ. v. Imm. and*
 19 *Customs Enf.*, 258 F. Supp. 3d 1050, 1063 (N.D. Cal. 2017) (internal alterations omitted) (*quoting*
 20 *Rempfer v. Sharfstein*, 583 F.3d 860, 865 (D.C. Cir. 2009)). Accordingly, there is no need to
 21 resolve disputed facts through trial. Defendants' Proposed Findings of Fact and Conclusions of
 22 Law, due to this Court on December 28, 2018, will set forth the facts from the administrative
 23 record on which Defendants contend this Court should base its legal review of the Secretary's
 24 decision.

25 **Enumeration/Apportionment Clause Claims**

26 With respect to Plaintiffs' constitutional claim under the Enumeration Clause, the APA also
 27 provides the waiver of sovereign immunity for that claim and its strictures on judicial review
 28 govern resolution of the constitutional claim to the same extent as Plaintiffs' APA claim. There

1 are thus no disputed facts necessary to resolve at trial on the Enumeration Clause, and
2 Defendants' Proposed Findings of Fact and Conclusions of Law will set forth the facts from the
3 administrative record on which Defendants contend this Court should base its legal review of the
4 Secretary's decision.

5 5. Agreed Statement

6 Although the parties have stipulated to the undisputed facts set forth in Exhibit A, the CA
7 Plaintiffs do not believe that all or part of the action may be presented upon an agreed statement
8 of facts.

9 The SJ Plaintiffs believe that their APA claims may be presented upon the facts contained
10 in the administrative record and all reasonable inferences that arise out of the administrative
11 record. The SJ Plaintiffs do not intend to present any extra-record evidence in support of their
12 APA claims, and will only submit such evidence to support their claim to standing and
13 enumeration and apportionment claims.

14 Defendants agree with SJ Plaintiffs that Plaintiffs' APA claims should be decided based
15 solely upon the facts presented in the administrative record. In addition, Defendants contend that
16 Plaintiffs' Enumeration Clause claim should be decided based upon the administrative record as
17 well.

18 6. Stipulations

19 Consistent with the stipulations reached between the plaintiffs and defendants in *State of*
20 *New York v. U.S. Department of Commerce*, No. 1:18-cv-2921 (S.D.N.Y.), ECF Nos. 523 and
21 524, the parties agree that the administrative record includes documents produced by Defendants
22 bearing the following labels:

23 • AR 1 through AR 13024 (PTX-001 through PTX-014)
24 • PTX-016 through PTX-152
25 • PTX-154
26 • PTX-156
27 • PTX-157
28 • PTX-164 through PTX-170

- 1 • PTX-172 through PTX 182
- 2 • PTX-184
- 3 • PTX-185
- 4 • PTX-227
- 5 • PTX-228
- 6 • PTX-244
- 7 • PTX-264
- 8 • PTX-274
- 9 • PTX-362
- 10 • PTX-363
- 11 • PTX-370
- 12 • PTX-374 through PTX-390
- 13 • PTX-397
- 14 • PTX-399 through PTX-433
- 15 • PTX-435 through PTX-452

16 The parties may enter further agreements to include additional materials in the administrative
17 record, and Plaintiffs reserve the right to move that additional materials be considered part of the
18 administrative record in this action.

19 The parties have reached two stipulations to expedite the presentation of evidence at trial.
20 First, in the Stipulation and Order Re: Joint Motion for Administrative Relief in *State of*
21 *California v. Ross*, ECF No. 99, and in *City of San Jose v. Ross*, ECF No. 108, the parties agreed
22 to submit the direct testimony of some trial witnesses by declaration. Second, in the Joint
23 Stipulation and Order to Admit Evidence in Lieu of Testimony for Dr. Lisa Handley and Dr.
24 Hermann Habermann in *State of California v. Ross*, ECF No. 116, and in *City of San Jose v. Ross*,
25 ECF No. 121, the parties agreed that, should Plaintiffs be permitted to introduce such evidence,
26 any of the Plaintiffs may move into evidence during the trial the complete trial testimony of Dr.
27 Lisa Handley and Dr. Hermann Habermann from *State of New York, et al. v. United States*

1 *Department of Commerce, et al.*, No. 18-cv-2921 (S.D.N.Y.), and this Court may consider the
 2 exhibits that accompany that testimony.

3 The parties may reach additional stipulations to expedite the presentation of evidence at
 4 trial.

5 7. Witnesses to be Called

6 Plaintiffs in the *State of California* and *City of San Jose* actions anticipate calling the
 7 following witnesses. SJ Plaintiffs intend to call the following witnesses only to present evidence
 8 in support of their standing and enumeration claims; SJ Plaintiffs do not intend to call any
 9 witnesses to support their APA claims, and will only call witnesses in support of the issue of
 10 standing and in support of their Enumeration Clause claim.

- 11 • Dr. John Abowd, Chief Scientist of the Census Bureau: Will testify on the impact of
 12 the citizenship question on, among other things, response rates, data quality, and
 13 census costs; and the potential for using administrative records to obtain citizenship
 14 data. Will additionally testify, during the CA Plaintiffs' case only (but not the SJ
 15 Plaintiffs' case), about his knowledge of and involvement in the decision to add the
 16 citizenship question to the 2020 Census questionnaire.
- 17 • Dr. Margo Anderson, expert on census history and practices: Will testify about the
 18 history of the census, the history of questions regarding citizenship status, the history
 19 of privacy concerns regarding the census, and applicability of historical analogies
 20 from past practice to the current proposal to add the citizenship question. SJ Plaintiffs
 21 intend to present Dr. Anderson's testimony only to support their standing and
 22 enumeration claims; SJ Plaintiffs do not intend to present Dr. Anderson's testimony to
 23 support their APA claims, except as to standing.
- 24 • Dr. Matthew Barreto, expert in racial and ethnic politics, public opinion polling, and
 25 survey methodology: Will testify about social science research and census
 26 publications addressing the effect of the citizenship question on response rates, and
 27 about the survey he conducted measuring the differential response rates between the
 28 national population and certain subgroups. SJ Plaintiffs intend to present Dr.

1 Barreto's testimony to support their standing and enumeration claims; SJ Plaintiffs do
2 not intend to present Dr. Barreto's testimony to support their APA claims, except as to
3 standing.

4 • Dr. Hermann Habermann, statistician and former Chief Statistician of the United
5 States and Deputy Director and Chief Operating Officer of the Bureau: Will testify by
6 declaration about the content of his expert report; his expert opinion on whether the
7 Bureau complied with the federal policies and procedures for designing, modifying,
8 and implementing statistical instruments when the Bureau added the citizenship
9 question; and the United Nations' recommendations on population censuses. SJ
10 Plaintiffs intend to present Dr. Habermann's testimony to support their standing and
11 enumeration claims; SJ Plaintiffs do not intend to present Dr. Habermann's testimony
12 to support their APA claims, except as to standing.

13 • Dr. Colm O'Muircheartaigh, expert in survey methodology: Will testify about the
14 content of his expert report, the impact of the citizenship question on response rates
15 and data quality, and the methods of and standards for testing a new question on the
16 decennial census questionnaire. SJ Plaintiffs intend to present Dr. O'Muircheartaigh's
17 testimony to support their standing and enumeration claims; SJ Plaintiffs do not intend
18 to present Dr. O'Muircheartaigh's testimony to support their APA claims, except as to
19 standing.

20 • Dr. Andrew Reamer, expert on census-guided federal funding: Will testify about the
21 content of his expert report and about the impacts of the addition of a citizenship
22 question to the 2020 Census on the distribution of particular types of federal domestic
23 assistance funds to certain states. SJ Plaintiffs intend to present Dr. Reamer's
24 testimony to support their standing and enumeration claims; SJ Plaintiffs do not intend
25 to present Dr. Reamer's testimony to support their APA claims, except as to standing.

26 The SJ Plaintiffs anticipate presenting testimony from the following additional witnesses to
27 support their standing claims.

- Jill Bourne, Director of the San Jose Public Library: Will testify about the use of census data in strategic planning for the San Jose Public Library and San Jose's need for accurate data quality.
- Kristen Clements, Division Manager for the City of San Jose's Department of Housing: Will testify about overseeing the Policy and Planning Team, the Grants Management team, and the Housing & Community Development Commission, about the loss of federal funding for housing programs in San Jose that is caused by an undercount of the population, strategic planning decisions made by the Department of Housing using census data, and San Jose's need for accurate data quality.
- Monique Melchor, Director of work2future, Workforce Development Board, Office of Economic Development for the City of San Jose: Will testify about the loss of federal funding for work programs in San Jose that is caused by undercount of the population and the need for accurate census data in making strategic decisions in the work2future program.
- Raymond Riordan, Director of the Office of Emergency Management for the City of San Jose: Will testify about the use of census data in strategic planning for the San Jose Emergency Management Department, including use of census population data to determine when various federal and state disaster grants are triggered.
- Jeff Ruster, Assistant Director of Office of Economic Development for the City of San Jose: Will testify about the preparations San Jose is taking with respect to the 2020 Decennial Census.
- Opal Tometi, Executive Director of BAJI: Will testify about BAJI's diversion of resources to mitigate the harm caused by the addition of the citizenship question on the 2020 Decennial Census, and the privacy concerns of BAJI's members that their citizenship status will be disclosed to their detriment.

The CA Plaintiffs anticipate calling the following additional witnesses:

- Douglas Baron, Senior Manager with the Chief Executive Office of the County of Los Angeles: Will testify about the County's request to the State of California for an

1 increase in census outreach funding in light of the addition of a citizenship question to
2 the 2020 Census questionnaire, and the Legislature's allocation of funding in response
3 to the County's request.

- 4 • Amy Bodek, Director of the Department of Planning for the County of Los Angeles:
5 Will testify about the County's use of census data for program and planning efforts.
- 6 • Earl Comstock, Deputy Chief of Staff and Director of Policy for Commerce: Will
7 testify by deposition about his knowledge of and involvement in the Commerce's
8 decision to add a citizenship question to the 2020 Census questionnaire.
- 9 • Jefferson Crain, Executive Office of the LAUSD Board of Education: Will testify
10 about LAUSD's decennial redistricting as called for by section 802 of the Los Angeles
11 City Charter, including the formation of a joint city-district redistricting commission
12 and the District's reliance upon decennial census data to review and, if necessary,
13 redraw district lines in accordance with state and federal laws.
- 14 • Pia Escudero, Executive Director of the Division of Student Health and Human
15 Services for LAUSD: Will testify about LAUSD's demographics and geography,
16 student health and human services, and the potential impacts to student health and
17 human services resulting from adding a citizenship question to the 2020 Census
18 questionnaire as compared to other school districts.
- 19 • Dr. Bernard Fraga, political data analyst and researcher: Will testify about the content
20 of his expert report and his expert opinion on the impact the citizenship question will
21 have on the 2020 Census population count for California and California's
22 congressional apportionment.
- 23 • John Gore, Acting Assistant Attorney General for Civil Rights at the U.S. Department
24 of Justice: Will testify by deposition about the Department of Justice's involvement in
25 the decision to add a citizenship question to the 2020 Census questionnaire.
- 26 • Dr. Lisa Handley, expert in redistricting and voting rights: Will testify through prior
27 testimony about the content of her expert report and about the effectiveness of current
28 Bureau data resources for determining whether the citizenship rate of a minority group

1 impacts its ability to participate in the electoral process and elect candidates of its
2 choice in litigation under section 2 of the Voting Rights Act.

- 3 • Ron Jarmin, in his capacity performing the non-exclusive functions and duties of the
4 Director of the Bureau: Will testify by deposition about his knowledge of and
5 involvement in the decision to add a citizenship question to the 2020 Census
6 questionnaire and the impact of the citizenship question on, among other things,
7 response rates, data quality, and census costs.
- 8 • Pamela Karlan, expert on voting rights law: Will testify through her preservation
9 deposition about the content of her expert report and about whether the inclusion of a
10 question on citizenship status on the decennial census would assist the Department of
11 Justice in enforcing section 2 of the Voting Rights Act.
- 12 • Karen Dunn Kelley, Under Secretary for Economic Affairs at Commerce: Will testify
13 by deposition about her knowledge of and involvement in the decision to add a
14 citizenship question to the 2020 Census questionnaire.
- 15 • David Langdon, Policy Advisor at Commerce: Will testify by deposition about his
16 knowledge of and involvement in the decision to add a citizenship question to the
17 2020 Census questionnaire.
- 18 • A. Mark Neuman, point person for the Trump transition team on census issues: Will
19 testify by deposition about his knowledge of and involvement in the decision to add a
20 citizenship question to the 2020 Census questionnaire.
- 21 • Sahra Park-Su, Senior Policy Advisor at Commerce: Will testify by deposition about
22 her knowledge of and involvement in the decision to add a citizenship question to the
23 2020 Census questionnaire, the differences between Nielsen surveys and the decennial
24 census, and the preparation of the administrative record.
- 25 • Karen Ryback, Executive Director for Federal and State Education Programs for
26 LAUSD: Will testify about LAUSD's receipt of funding from federal programs (Title
27 I, Title II, and Title IV), funding allocation formulas for these programs, LAUSD
28 demographics relevant to these programs, and the potential funding impacts to

1 LAUSD resulting from adding a citizenship question to the 2020 Census questionnaire
2 as compared to other school districts.

3 • Wendy Teramoto, Senior Advisor and Chief of Staff to Secretary Ross: Will testify
4 by deposition about her knowledge of and involvement in the decision to add a
5 citizenship question to the 2020 Census questionnaire.

6 • Andrew Westall, Assistant Chief Deputy of the Office of Los Angeles City Council
7 President Herb J. Wesson, Jr.: Will testify about the City's use of census data for
8 redistricting.

9 Defendants anticipate calling the following witnesses:

10 • Dr. John Abowd, Chief Scientist and Associate Director for Research and
11 Methodology, United States Census Bureau: Defendants' expert witness who will
12 provide opinions on whether the Census Bureau followed appropriate statistical
13 quality standards when it placed the citizenship question from the American
14 Community Survey onto the proposed questionnaire in the 2020 Census without
15 further testing; whether the inclusion of a citizenship question on the 2020 Census will
16 affect the self-response rate; whether the Census Bureau can and will make
17 appropriate and adequate adjustments to various components of the 2020 Census,
18 including Non-Response Follow-Up operations and the Integrated Partnership and
19 Communications Program to address any cost and quality consequences that might
20 arise during the conduct of the 2020 Census from the inclusion of a citizenship
21 question; and whether ultimately the accuracy of the count will be affected.

22 • Dr. Stuart Gurea, Vice President, Economists Incorporated: Defendants' expert
23 witness who will provide opinions on the reliability of the impact evaluations Dr.
24 Bernard Fraga and Dr. Andrew Reamer conduct to isolate the effect of the inclusion of
25 a citizenship question on 2020 Census population estimates, congressional seat
26 apportionment, and distribution of federal funds; on Dr. Fraga's use of the survey data
27 Dr. Matthew Barreto developed to measure the impact of the inclusion of a citizenship
28 question; and on the effect on Dr. Fraga's and Dr. Reamer's predictions of an

alternative assumption regarding the success rate of the Census Bureau in Non-Response Follow-Up operations.

8. Exhibits, Schedules and Summaries

4 Plaintiffs' joint exhibit list, which supersedes the separate exhibit lists filed by CA Plaintiffs
5 (*State of California v. Ross*, ECF Nos. 109, 110, and 111) and SJ Plaintiffs (*City of San Jose v.*
6 *Ross*, ECF No. 117), is attached as Exhibit B.¹ Plaintiffs reserve the right to add exhibits during
7 trial from excerpts of exhibits currently on the joint exhibit list. SJ Plaintiffs' disclosure and
8 exchange of exhibits does not waive their rights to seek adjudication of their APA claim solely on
9 the administrative record.

10 Defendants' exhibit list is attached as Exhibit C.

9. Disputed Legal Issues

12 Plaintiffs contend that the following legal issues are in dispute:

Standing

- a. Plaintiffs argue that, for standing purposes, “a loss of even a small amount of money is ordinarily an injury.” *Czyzewski v. Jevic Holding Corp.*, 137 S. Ct. 973, 983 (2017) (quotation marks omitted).
- b. Plaintiffs argue that their injuries are traceable to the addition of a citizenship question to the 2020 Census questionnaire and will be redressed by the removal of the question because the “government’s unlawful conduct [adding the question] is at least a substantial factor motivating the third party’s action [the decision to respond to the census].” *See Mendina v. Garcia*, 768 F.3d 1009, 1012 (9th Cir. 2014) (citing *Bennett v. Spear*, 520 U.S. 154, 168-69 (1997)).

APA Claim

a. The SJ Plaintiffs contend that, even based solely on the administrative record and the fair inferences that can be drawn from that record, the Secretary's decision violated the

¹ The following exhibits were inadvertently omitted from SJ Plaintiffs' Exhibit List: PTX-859, PTX 860, and PTX-862, and Exhibits B and C to the Expert Report of Margo Anderson (Exhibit PTX-828). Each document was previously produced or disclosed during discovery.

1 APA, and thus, the SJ Plaintiffs will not be presenting any extra-record evidence in
 2 support of that claim. The CA Plaintiffs also contend that, based solely on the
 3 administrative record and fair inferences that can be drawn from that record, the
 4 Secretary's decision violated the APA, but also argue that extra-record evidence,
 5 including expert testimony, should be admissible because every exception to limited
 6 record review applies: the decision-maker acted in bad faith, extra-record evidence is
 7 necessary to determine whether agencies considered all factors, the agencies relied on
 8 documents not in the administrative record, and the case involves technical and
 9 complex subject matter. *See Ranchers Cattlemen Action Legal Fund United*
 10 *Stockgrowers of Am. v. U.S. Dep't of Agric.*, 499 F.3d 1108, 1117 (9th Cir. 2007).

11 b. Plaintiffs argue that, because the APA requires an agency decision-maker to "disclose
 12 the basis of its" decision, *Burlington Truck Lines, Inc. v. United States*, 371 U.S. 156,
 13 168 (1962), where the agency decisionmaker fails to disclose the substance of relevant
 14 information that has been presented to it, the court "must treat the agency's
 15 justifications as a fictional account of the actual decisionmaking process and must
 16 perforce find its actions arbitrary." *See Home Box Office, Inc. v. F.C.C.*, 567 F.2d 9,
 17 54-55 (D.C. Cir. 1977).

18 c. Plaintiffs argue that, because the APA requires an agency decision-maker to "disclose
 19 the basis of its" decision, *Burlington Truck Lines, Inc. v. United States*, 371 U.S. 156,
 20 168 (1962), the agency action must be set aside without further inquiry if the purported
 21 rationale for action was pretextual. *See, e.g., N.E. Coal. on Nuclear Pollution v.*
 22 *Nuclear Regulatory Comm'n*, 727 F.2d 1127, 1130-31 (D.C. Cir. 1984).

23 d. Plaintiffs argue that Secretary Ross's decision to add a citizenship question to the 2020
 24 Census questionnaire was arbitrary and capricious because it failed to consider an
 25 important aspect of the problem, in that the Secretary did not carry his burden to
 26 demonstrate the need for the question and that the question would not harm the survey
 27 instrument. *Am. Wild Horse Pres. Campaign v. Perdue*, 873 F.3d 914, 932 (D.C. Cir.
 28 2017).

1 e. Plaintiffs argue that Secretary Ross's decision to add a citizenship question to the 2020
2 Census questionnaire was arbitrary and capricious because it failed to consider an
3 important aspect of the problem, in that the Bureau did not comply with its standard
4 practice of conferring with the requesting agency to determine how best to meet its
5 needs. *See St. Lawrence Seaway Pilots Ass'n, Inc. v. U.S. Coast Guard*, 85 F. Supp. 3d
6 197, 207 (D.D.C. 2015).

7 f. Plaintiffs argue that Secretary Ross's decision to add a citizenship question to the 2020
8 Census questionnaire was contrary to law because the question does not comply with
9 the pretesting and burden-reduction requirements set forth in longstanding Office of
10 Management and Budget (OMB) and Bureau data collection standards.

11 g. Plaintiffs argue that Secretary Ross's decision to add a citizenship question to the 2020
12 Census questionnaire after the March 2017 deadline to submit a report listing the
13 subjects planned for the 2020 Census—in the absence of new circumstances to justify
14 the modification—was in excess of the Secretary's statutory authority because it
15 violates the substantive limitations on the Secretary's ability to modify the census set
16 forth in 13 U.S.C. § 141(f) and is reviewable under 5 U.S.C. § 706(2)(C), *see Center for*
17 *Biological Diversity v. Brennan*, 571 F. Supp. 2d 1105, 1116 (N.D. Cal. 2007).

18 h. Plaintiffs argue that the question whether Secretary Ross's decision to add a citizenship
19 question to the 2020 Census questionnaire was in excess of his statutory authority under
20 13 U.S.C. § 6(c) is judicially reviewable.

21 **Enumeration/Apportionment Clause Claims**

22 a. Plaintiffs argue that adding a citizenship question to the 2020 Census questionnaire
23 violates the Enumeration Clause because the question will be so uniquely impactful on
24 the process of counting that it affirmatively interferes with the actual enumeration
25 without fulfilling any other reasonable government purpose. *Wisconsin v. City of New*
26 *York*, 517 U.S. 1, 19-20 (1996).

Relief

- a. Plaintiffs argue that if the Court grants their APA claim, an injunction should immediately issue to prevent Defendants from taking any action to add a citizenship question to the 2020 Census questionnaire, given that injunctive relief is the typical remedy absent extraordinary circumstances, *see Idaho Farm Bureau Fed'n v. Babbitt*, 58 F.3d 1392, 1405 (9th Cir. 1995), and there is “no conceivable circumstance” in which remand could produce a different outcome, *Mulry v. Driver*, 366 F.2d 544, 550 (9th Cir. 1966). Should the Court determine that remand is appropriate, Plaintiffs argue that Secretary Ross and the Department of Commerce should be recused from any further decisionmaking because the evidence shows they have “an unalterably closed mind on matters critical to the disposition of the proceeding.” *Ass'n of Nat'l. Advertisers, Inc. v. F.T.C.*, 627 F.2d 1151, 1170 (D.C. Cir. 1979).

Defendants contend that the following legal issues are in dispute:

Standing

- a. Whether Plaintiffs can establish the irreducible minimum requirements of standing: a concrete and particularized injury-in-fact, a fairly traceable causal connection between the injury and the inclusion of the citizenship question, and a likelihood that the injury will be redressed by a favorable decision. *Lujan v. Defs. of Wildlife*, 504 U.S. 555, 560 (1992).

b. Whether Plaintiffs' asserted injuries are too speculative to constitute injury in fact. *Lujan v. Defs. of Wildlife*, 504 U.S. 555, 560 (1992); *Clapper v. Amnesty Int'l USA*, 568 U.S. 398, 409, (2013).

c. Whether Plaintiffs can prove by a preponderance of the evidence that any potential differential net undercount is specifically attributable to the citizenship question. *See Lujan v. Defs. of Wildlife*, 504 U.S. 555, 560 (1992); *Simon v. E. Ky. Welfare Rights Org.*, 426 U.S. 26, 41-42 (1976).

d. Whether Plaintiffs can prove by a preponderance of the evidence that any potential differential net undercount has a specific injurious effect on Plaintiffs. *See Lujan v.*

Defs. of Wildlife, 504 U.S. 555, 560 (1992); *Simon v. E. Ky. Welfare Rights Org.*, 426 U.S. 26, 41-42 (1976).

- e. Whether Plaintiffs can prove by a preponderance of the evidence that any potential differential undercount that may remain after NRFU operations and imputation will have an impact on apportionment or federal funding. *See Lujan v. Defs. of Wildlife*, 504 U.S. 555, 560 (1992); *Simon v. E. Ky. Welfare Rights Org.*, 426 U.S. 26, 41-42 (1976).
- f. Whether Plaintiffs can prove that they face imminent risk of concrete injury in the form of lost representation or funding. *See Nat'l Law Ctr. on Homelessness & Poverty v. Kantor*, 91 F.3d 178, 185 (D.C. Cir. 1996) (finding lack of standing where court could not determine “what effect any methodology for counting the homeless would have on the federal funding of any particular appellant,” noting that “if a more accurate count would have enlarged some of the communities’ shares, it likely would have reduced the shares of other communities”); *id.* at 186 (“interstate vote dilution injury is difficult to establish”); *Ridge v. Verity*, 715 F. Supp. 1308, 1318 (W.D. Pa. 1989) (finding no standing to bring an apportionment claim when “none of the plaintiffs in this case can show which states would gain and which states would lose representation in Congress”). *See Lujan v. Defs. of Wildlife*, 504 U.S. 555, 560 (1992); *Simon v. E. Ky. Welfare Rights Org.*, 426 U.S. 26, 41-42 (1976).
- g. Whether Plaintiffs’ expenditures of resources establishes Article III injury-in-fact. *See Clapper v. Amnesty Int’l USA*, 568 U.S. 398, 416 (2013) (plaintiff “cannot manufacture standing merely by inflicting harm on [itself] based on [its] fears of hypothetical future harm that is not certainly impending”); *La Asociacion de Trabajadores de Lake Forest v. City of Lake Forest*, 624 F.3d 1083, 1088 (9th Cir. 2010) (plaintiff “cannot manufacture the injury [needed for standing] by incurring litigation costs or simply choosing to spend money fixing a problem that otherwise would not affect the organization at all”); *Fair Employment Council of Greater Wash., Inc. v. BMC Mktg. Corp.*, 28 F.3d 1268, 1277 (D.C. Cir. 1994) (organization’s reallocation of resources not sufficient for standing when organization “and its programs would have been totally

1 unaffected [by defendant's conduct] if it had simply refrained from making the re-
 2 allocation").

3 h. Whether any purported degradation in data quality potentially resulting from inclusion
 4 of the citizenship question, even if a differential undercount remains, will cause any
 5 cognizable, concrete harm to Plaintiffs. *See Lujan v. Defs. of Wildlife*, 504 U.S. 555,
 6 560 (1992); *Simon v. E. Ky. Welfare Rights Org.*, 426 U.S. 26, 41-42 (1976).

7 i. Whether Plaintiffs can show that any alleged injury would be redressable by the
 8 removal of the citizenship question from the census questionnaire. *Lujan v. Defs. of*
 9 *Wildlife*, 504 U.S. 555, 560-61 (1992).

10 **APA Claim**

11 a. Whether the Secretary of Commerce's decision to include a citizenship question on the
 12 2020 decennial census questionnaire was arbitrary and capricious. 5 U.S.C. § 706(2).

13 b. Whether the administrative record demonstrates that the Secretary of Commerce's
 14 decision to include a citizenship question on the 2020 decennial census questionnaire
 15 was reasonable. 5 U.S.C. § 706(2).

16 c. Whether the Secretary's decision "was based on a consideration of the relevant factors
 17 and whether there has been a clear error of judgment." *Citizens to Preserve Overton*
 18 *Park, Inc. v. Volpe*, 401 U.S. 402, 416 (1971).

19 d. Whether the Secretary's decision was unlawful because it did not conform to the
 20 Constitution or federal statute. U.S. Const. art I, § 2 cl. 3; 13 U.S.C. § 141(f)(3).

21 e. Whether Plaintiffs have demonstrated bad faith sufficient to permit this Court to
 22 consider extra-record evidence in this APA case. *Camp v. Pitts*, 411 U.S. 138, 142
 23 (1973) (per curiam).

24 f. Whether Plaintiffs can prove that the Secretary did not actually believe his stated
 25 rationale or acted with an unalterably closed mind, sufficient to demonstrate pretext.
 26 *See Jagers v. Fed. Crop Ins. Corp.*, 758 F.3d 1179, 1186 (10th Cir. 2014) (rejecting
 27 argument that "the agency's subjective desire to reach a particular result must

1 necessarily invalidate the result, regardless of the objective evidence supporting the
 2 agency's conclusion").

3 g. Whether a violation of 13 U.S.C. § 141(f) is judicially reviewable. 13 U.S.C. § 141(f);
 4 5 U.S.C. §§ 551(13), 701(a); *Webster v. Doe*, 486 U.S. 592, 599 (1988); *Guerrero v.*
 5 *Clinton*, 157 F.3d 1190, 1191-92 (9th Cir. 1988).
 6 h. Whether 13 U.S.C. § 6(c) acts as a substantive constraint on the Secretary's discretion
 7 to determine the content of the census questionnaire and, if so, whether the Secretary's
 8 decision violated that provision.

9 **Enumeration/Apportionment Clause Claims**

10 a. Whether Plaintiffs can prove that the inclusion of a citizenship question bears no
 11 "reasonable relationship to the accomplishment of an actual enumeration of the
 12 population, keeping in mind the constitutional purpose of the census," *Wisconsin v. City*
 13 *of New York*, 517 U.S. 1, 20 (1996), or undermines the "strong constitutional interest in
 14 accuracy of" the census. *Utah v. Evans*, 536 U.S. 452, 478 (2002).

15 10. Pending Motions or Matters

16 Plaintiffs do not have any pending motions or matters that must be resolved before trial.

17 Defendants filed a motion *in limine* on December 21. *See State of California v. Ross*, ECF No.
 18 118, and *City of San Jose v. Ross*, ECF No. 124.

19 11. Bifurcation, Separate Trial of Issues

20 None of the parties are requesting bifurcation or a separate trial of specific issues.

21 Although *State of California v. Ross* and *City of San Jose v. Ross* have not been consolidated, all
 22 plaintiffs in these cases have brought the same claims and will coordinate, to the extent possible,
 23 the presentation of evidence and arguments at trial. The SJ Plaintiffs will not be presenting any
 24 evidence from outside the administrative record in support of their APA claims.

25 12. Estimate of Trial Time

26 Given the Court's schedule and the parties' discussions, the parties anticipate that the trial,
 27 set to begin on January 7, 2019, will be complete by January 15, 2019. This schedule assumes
 28

1 that the Court will be in session for full days every business day except January 10, on which the
2 Court will be in session for the morning only.

3 13. Miscellaneous

4 The parties continue to work together to facilitate the just, speedy, and efficient
5 determination of the action. The parties do not have any other matters to present to the Court at
6 this time.

7 Should the funding authority for the Departments of Justice and Commerce expire between
8 now and the start of the trial, Defendants may be required to seek a stay of the trial and all pre-
9 trial proceedings. Plaintiffs oppose any request for a stay of pretrial and/or trial proceedings.

10

11 *The foregoing admissions having been made by the parties, and the parties having specified
12 the foregoing issues of fact and law remaining to be litigated, this order shall supplement the
13 pleadings and govern the course of trial of this cause, unless modified to prevent manifest
14 injustice.*

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1 Dated: December 21, 2018

Respectfully Submitted,

2 XAVIER BECERRA
3 Attorney General of California
4 MARK R. BECKINGTON
5 ANTHONY R. HAKL
6 Supervising Deputy Attorneys General
7 GABRIELLE D. BOUTIN
8 ANNA T. FERRARI
9 TODD GRABARSKY
10 NOREEN P. SKELLY
11 Deputy Attorneys General

12 */s/ R. Matthew Wise*
13 R. MATTHEW WISE
14 Deputy Attorney General
15 *Attorneys for Plaintiff State of California, by and*
16 *through Attorney General Xavier Becerra*

11 Dated: December 21, 2018

12 */s/ Charles L. Coleman*
13 CHARLES L. COLEMAN III, SBN 65496
14 DAVID I. HOLTZMAN
15 HOLLAND & KNIGHT LLP
16 50 California Street, 28th Floor
17 San Francisco, CA 94111
18 Telephone: (415) 743-6970
19 Fax: (415) 743-6910
20 Email: charles.coleman@hklaw.com
21 *Attorneys for Plaintiff County of Los Angeles*

17 Dated: December 21, 2018

18 MIKE FEUER
19 City Attorney for the City of Los Angeles

20 */s/ Valerie Flores*
21 VALERIE FLORES, SBN 138572
22 Managing Senior Assistant City Attorney
23 200 North Main Street, 7th Floor, MS 140
24 Los Angeles, CA 90012
25 Telephone: (213) 978-8130
26 Fax: (213) 978-8222
27 Email: Valerie.Flores@lacity.org

1 Dated: December 21, 2018

HARVEY LEVINE
City Attorney for the City of Fremont

2 /s/ Harvey Levine
3 SBN 61880
4 3300 Capitol Ave.
5 Fremont, CA 94538
6 Telephone: (510) 284-4030
7 Fax: (510) 284-4031
8 Email: hlevine@fremont.gov

9 Dated: December 21, 2018

CHARLES PARKIN
City Attorney for the City of Long Beach

10 /s/ Michael J. Mais
11 MICHAEL K. MAIS, SBN 90444
12 Assistant City Attorney
13 333 W. Ocean Blvd., 11th Floor
14 Long Beach CA, 90802
15 Telephone: (562) 570-2200
16 Fax: (562) 436-1579
17 Email: Michael.Mais@longbeach.gov

18 Dated: December 21, 2018

19 BARBARA J. PARKER
20 City Attorney for the City of Oakland

21 /s/ Erin Bernstein
22 MARIA BEE
23 Chief Assistant City Attorney
24 ERIN BERNSTEIN, SBN 231539
25 Supervising Deputy City Attorney
26 MALIA MCPHERSON
27 Deputy City Attorney
28 City Hall, 6th Floor
1 Frank Ogawa Plaza
Oakland, California 94612
Telephone: (510) 238-3601
Fax: (510) 238-6500
Email: ebernstein@oaklandcityattorney.org

29 Dated: December 21, 2018

JOHN LUEBBERKE
City Attorney for the City of Stockton

30 /s/ John Luebberke
31 SBN 164893
32 425 N. El Dorado Street, 2nd Floor
33 Stockton, CA 95202
34 Telephone: (209) 937-8333
35 Fax: (209) 937-8898
36 Email: John.Luebberke@stocktonca.gov

1 Dated: December 21, 2018

DANNIS WOLIVER KELLEY
SUE ANN SALMON EVANS
KEITH A. YEOMANS

3 */s/ Keith A. Yeomans*
4 KEITH A. YEOMANS
5 *Attorneys for Plaintiff-Intervenor*
Los Angeles Unified School District

6 Dated: December 21, 2018

MANATT, PHELPS & PHILLIPS, LLP

7 By: s/ Andrew Case
John F. Libby
John W. McGuinness
Emil Petrossian
Andrew Case (*pro hac vice*)
Ana Guardado
11355 West Olympic Boulevard
Los Angeles, California 90064
Telephone: (310) 312-4000
Facsimile: (310) 312-4224

13 **LAWYERS' COMMITTEE FOR CIVIL
14 RIGHTS UNDER LAW**

15 Kristen Clarke
16 Jon M. Greenbaum
17 Ezra D. Rosenberg
Dorian L. Spence
18 1500 K Street NW, Suite 900
Washington, DC 20005
Telephone: (202) 662-8600
Facsimile: (202) 783-0857

19 **PUBLIC COUNSEL**

20 Mark Rosenbaum
610 South Ardmore Avenue
21 Los Angeles, California 90005
Telephone: (213) 385-2977
Facsimile: (213) 385-9089

22 **CITY OF SAN JOSE**

23 Richard Doyle, City Attorney
Nora Frimann, Assistant City Attorney
24 Office of the City Attorney
200 East Santa Clara Street, 16th Floor
San José, California 95113-1905
25 Telephone Number: (408) 535-1900
Facsimile Number: (408) 998-3131
26 E-Mail: cao.main@sanjoseca.gov

27 *Attorneys for Plaintiffs*
28 CITY OF SAN JOSE and BLACK ALLIANCE
FOR JUST IMMIGRATION

1
2 Dated: December 21, 2018

3
4
5 JOSEPH H. HUNT
6 Assistant Attorney General

7
8 BRETT A. SHUMATE
9 Deputy Assistant Attorney General

10
11 CARLOTTA P. WELLS
12 Assistant Branch Director

13
14 MARSHA S. EDNEY
15 Senior Trial Counsel

16
17
18
19
20
21
22
23
24
25
26
27
28
/s/ Kate Bailey
KATE BAILEY
STEPHEN EHRLICH
CAROL FEDERIGHI
DANIEL HALAINEN
Trial Attorneys
United States Department of Justice
Civil Division, Federal Programs Branch
1100 L Street NW
Washington, DC 20530
Phone: (202) 514-923
Email: kate.bailey@usdoj.gov
Attorneys for Defendants

16
17
18
19
20
21
22
23
24
25
26
27
28
FILER'S ATTESTATION

20 Pursuant to Civil Local Rule 5-1(i)(3), regarding signatures, I hereby attest that
21 concurrence in the filing of this document has been obtained from all signatories above.

22
23
24 Dated: December 21, 2018

25
26
27
28
/s/ R. Matthew Wise
R. MATTHEW WISE

29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
5510
5511
5512
5513
5514
5515
5516
5517
5518
5519
5520
5521
5522
5523
5524
5525
5526
5527
5528
5529
5530
5531
5532
5533
5534
5535
5536
5537
5538
5539
55310
55311
55312
55313
55314
55315
55316
55317
55318
55319
55320
55321
55322
55323
55324
55325
55326
55327
55328
55329
55330
55331
55332
55333
55334
55335
55336
55337
55338
55339
55340
55341
55342
55343
55344
55345
55346
55347
55348
55349
55350
55351
55352
55353
55354
55355
55356
55357
55358
55359
55360
55361
55362
55363
55364
55365
55366
55367
55368
55369
55370
55371
55372
55373
55374
55375
55376
55377
55378
55379
55380
55381
55382
55383
55384
55385
55386
55387
55388
55389
55390
55391
55392
55393
55394
55395
55396
55397
55398
55399
553100
553101
553102
553103
553104
553105
553106
553107
553108
553109
553110
553111
553112
553113
553114
553115
553116
553117
553118
553119
553120
553121
553122
553123
553124
553125
553126
553127
553128
553129
553130
553131
553132
553133
553134
553135
553136
553137
553138
553139
553140
553141
553142
553143
553144
553145
553146
553147
553148
553149
553150
553151
553152
553153
553154
553155
553156
553157
553158
553159
553160
553161
553162
553163
553164
553165
553166
553167
553168
553169
553170
553171
553172
553173
553174
553175
553176
553177
553178
553179
553180
553181
553182
553183
553184
553185
553186
553187
553188
553189
553190
553191
553192
553193
553194
553195
553196
553197
553198
553199
553200
553201
553202
553203
553204
553205
553206
553207
553208
553209
553210
553211
553212
553213
553214
553215
553216
553217
553218
553219
553220
553221
553222
553223
553224
553225
553226
553227
553228
553229
553230
553231
553232
553233
553234
553235
553236
553237
553238
553239
553240
553241
553242
553243
553244
553245
553246
553247
553248
553249
553250
553251
553252
553253
553254
553255
553256
553257
553258
553259
553260
553261
553262
553263
553264
553265
553266
553267
553268
553269
553270
553271
553272
553273
553274
553275
553276
553277
553278
553279
553280
553281
553282
553283
553284
553285
553286
553287
553288
553289
553290
553291
553292
553293
553294
553295
553296
553297
553298
553299
553300
553301
553302
553303
553304
553305
553306
553307
553308
553309
553310
553311
553312
553313
553314
553315
553316
553317
553318
553319
553320
553321
553322
553323
553324
553325
553326
553327
553328
553329
553330
553331
553332
553333
553334
553335
553336
553337
553338
553339
553340
553341
553342
553343
553344
553345
553346
553347
553348
553349
553350
553351
553352
553353
553354
553355
553356
553357
553358
553359
553360
553361
553362
553363
553364
553365
553366
553367
553368
553369
553370
553371
553372
553373
553374
553375
553376
553377
553378
553379
553380
553381
553382
553383
553384
553385
553386
553387
553388
553389
553390
553391
553392
553393
553394
553395
553396
553397
553398
553399
553400
553401
553402
553403
553404
553405
553406
553407
553408
553409
553410
553411
553412
553413
553414
553415
553416
553417
553418
553419
553420
553421
553422
553423
553424
553425
553426
553427
553428
553429
553430
553431
553432
553433
553434
553435
553436
553437
553438
553439
553440
553441
553442
553443
553444
553445
553446
553447
553448
553449
553450
553451
553452
553453
553454
553455
553456
553457
553458
553459
553460
553461
553462
553463
553464
553465
553466
553467
553468
553469
553470
553471
553472
553473
553474
553475
553476
553477
553478
553479
553480
553481
553482
553483
553484
553485
553486
553487
553488
553489
553490
553491
553492
553493
553494
553495
553496
553497
553498
553499
553500
553501
553502
553503
553504
553505
553506
553507
553508
553509
553510
553511
553512
553513
553514
553515
553516
553517
553518
553519
553520
553521
553522
553523
553524
553525
553526
553527
553528
553529
553530
553531
553532
553533
553534
553535
553536
553537
553538
553539
553540
553541
553542
553543
553544
553545
553546
553547
553548
553549
553550
553551
553552
553553
553554
553555
553556
553557
553558
553559
553560
553561
553562
553563
553564
553565
553566
553567
553568
553569
553570
553571
553572
553573
553574
553575
553576
553577
553578
553579
553580
553581
553582
553583
553584
553585
553586
553587
553588
553589
553590
553591
553592
553593
553594
553595
553596
553597
553598
553599
553600
553601
553602
553603
553604
553605
553606
553607
553608
553609
553610
553611
553612
553613
553614
553615
553616
553617
553618
553619
553620
553621
553622
553623
553624
553625
553626
553627
553628
553629
553630
553631
553632
553633
553634
553635
553636
553637
553638
553639
553640
553641
553642
553643
553644
553645
553646
553647
553648
553649
553650
553651
553652
553653
553654
553655
553656
553657
553658
553659
553660
553661
553662
553663
553664
553665
553666
553667
553668
553669
553670
553671
553672
553673
553674
553675
553676
553677
553678
553679
553680
553681
553682
553683
553684
553685
553686
553687
553688
553689
553690
553691
553692
553693
553694
553695
553696
553697
553698
553699
553700
553701
553702
553703
553704
553705
553706
553707
553708
553709
553710
553711
553712
553713
553714
553715
553716
553717
553718
553719
553720
553721
553722
553723
553724
553725
553726
553727
553728
553729
553730
553731
553732
553733
553734
553735
553736
553737
553738
553739
5537340
5537341
5537342
5537343
5537344
5537345
5537346
5537347
5537348
5537349
5537350
5537351
5537352
5537353
5537354
5537355
5537356
5537357
5537358
5537359
55373510
55373511
55373512
55373513
55373514
55373515
55373516
55373517
55373518
55373519
55373520
55373521
55373522
55373523
55373524
55373525
55373526
55373527
55373528
55373529
55373530
55373531
55373532
55373533
55373534
55373535
55373536
55373537
55373538
55373539
55373540
55373541
55373542
55373543
55373544
55373545
55373546
55373547
55373548
55373549
55373550
55373551
55373552
55373553
55373554
55373555
55373556
55373557
55373558
55373559
55373560
55373561
55373562
55373563
55373564
55373565
55373566
55373567
55373568
55373569
55373570
55373571
55373572
55373573
55373574
55373575
55373576
55373577
55373578
55373579
55373580
55373581
55373582
55373583
55373584
55373585
55373586
55373587
55373588
55373589
55373590
55373591
55373592
55373593
55373594
55373595
55373596
55373597
55373598
55373599
553735100
553735101
553735102
553735103
553735104
553735105
553735106
553735107
553735108
553735109
553735110
553735111
553735112
553735113
553735114
553735115
553735116
553735117
553735118
553735119
553735120
553735121
553735122
553735123
553735124
553735125
553735126
553735127
553735128
553735129
553735130
553735131
553735132
553735133
553735134
553735135
553735136
553735137
553735138
553735139
553735140
553735141
553735142
553735143
553735144
553735145
553735146
553735147
553735148
553735149
553735150
553735151
553735152
553735153
553735154
553735155
553735156
553735157
553735158
553735159
553735160
553735161
553735162
553735163
553735164
553735165
553735166
553735167
553735168
553735169
553735170
553735171
553735172
553735173
553735174
553735175
553735176
553735177
553735178
553735179
553735180
553735181
553735182
553735183
553735

1 **[PROPOSED] ORDER**

2 The Joint Pretrial Statement above is approved.

3

4 IT IS SO ORDERED.

5 Dated: 1/2/19



6
7 The Honorable Richard G. Seeborg
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
The Honorable Richard G. Seeborg
UNITED STATES DISTRICT JUDGE

Exhibit A

UNDISPUTED FACTS

I. Parties and People

1. Plaintiff the State of California is one of the fifty United States of America.
2. Plaintiff County of Los Angeles is a political subdivision of the State of California.
3. Plaintiff City of Los Angeles is a municipal corporation organized and existing under the laws of the State of California.
4. Plaintiff City of Fremont is a municipal corporation organized and existing under the laws of the State of California.
5. Plaintiff City of Long Beach is a municipal corporation organized and existing under the laws of the State of California.
6. Plaintiff City of Oakland is a municipal corporation organized and existing under the laws of the State of California.
7. Plaintiff Stockton is a municipal corporation organized and existing under the laws of the State of California.
8. Plaintiff Los Angeles Unified School District is the public school district encompassing the City of Los Angeles and several surrounding communities and is the largest school district within the state of California.
9. Plaintiff the City of San José (“San José”), incorporated in 1850, is the third-largest city in California.
10. Plaintiff Black Alliance for Just Immigration is an Oakland-based nonprofit that educates and engages African American and black immigrant communities in support of racial, social, and economic justice.
11. Defendant Wilbur Louis Ross, Jr. is the Secretary of the Department of Commerce.
12. Defendant the United States Department of Commerce (“Commerce”) is a department of the United States Government.
13. Defendant Ron Jarmin is the former Associate Director for Economic Programs of the United States Census Bureau and is currently performing the non-exclusive functions and duties of the Director of the United States Census Bureau.
14. The United States Census Bureau (the “Bureau”) is a Bureau within the Department of Commerce charged with conducting the Decennial Census.
15. Dr. John Abowd is the Chief Scientist and Associate Director for Research and Methodology at the United States Census Bureau.
16. Enrique Lamas is performing the nonexclusive functions and duties of the Deputy Director of the Census Bureau.
17. Burton Reist is the Chief of the Decennial Communications and Stakeholder Relations at the Census Bureau.

18. Victoria Velkoff is Division Chief of the American Community Survey Office at the U.S. Census Bureau.
19. Michael Berning, J. David Brown, Misty Heggeness, Shawn Klimek, Lawrence Warren, and Moises Yi were members of the “SWAT Team” that prepared analyses of the inclusion of a citizenship question on the 2020 Decennial Census between December 2017 and March 2018.
20. Earl Comstock is the Deputy Chief of Staff and Director of Policy, running the Office of Policy and Strategic Planning within the Office of the Secretary of Commerce, reporting directly to Secretary Ross.
21. Karen Dunn Kelley is the Presidentially appointed Under Secretary for Economic Affairs at the US. Department of Commerce responsible for the operations of the Census Bureau.
22. James Uthmeier is Senior Counsel to the General Counsel, Regulatory Reform Officer, Department of Commerce.
23. Wendy Teramoto was a Senior Advisor and Chief of Staff to Secretary Ross.
24. Sahra Park-Su was a Senior Policy Advisor at the Department of Commerce who reported to both Undersecretary Kelley and Earl Comstock.
25. David Langdon is a Policy Advisor within the Office of Policy and Strategic Planning, reporting to Mr. Comstock.
26. Tad Kassinger was the former General Counsel of the Commerce Department who is one of Secretary Ross’ personal attorneys.
27. Peter Davidson is the General Counsel for the Department of Commerce.
28. Michael Walsh was the Deputy General Counsel for the Department of Commerce.
29. Michael Walsh is the Chief of Staff to Secretary Ross.

II. Past Census Bureau Practices With Regard to Citizenship Information

a. Decennial Census Overview

30. The U.S. Constitution requires the federal government to conduct a Decennial Census—counting the total number of “persons”—with no specific reference to citizenship status—residing in each state.
31. The Constitution provides that Representatives “shall be apportioned among the several States . . . according to their respective Numbers”; which requires “counting the whole number of persons in each State.”
32. The Constitution requires that this count be an “actual Enumeration” conducted every ten years.
33. Through the Census Act, Congress assigned the responsibility of making this enumeration to the Secretary of Commerce.

34. The Secretary of Commerce is charged with the responsibility to take a Decennial Census to create an actual enumeration of the United States population.
35. The central constitutional purpose of the Census Bureau in taking the Decennial Census is to conduct an enumeration of the total population.
36. To enable a person-by-person count, the Census Bureau sends a questionnaire to virtually every housing unit in the United States.
37. Any person over the age of eighteen living in the United States who refuses or willfully neglects to answer any part of the Census questionnaire sent to him or her is subject to a fine.
38. For the 2020 Decennial Census, households will also be given the option to complete the questionnaire via the internet, in addition to other enumeration options such as printed questionnaires and telephone responses.
39. If the Census Bureau does not receive a response to the questionnaire, it then sends a Census Bureau staffer known as an enumerator to the housing unit to attempt to conduct an in person interview in order to collect the data. This process is the Non Response Follow Up (“NRFU”) operation.
40. In the 2020 Decennial Census, the Census Bureau has proposed using administrative records to enumerate a limited number of those households for which there is high quality administrative data about the household if the initial NRFU visit does not result in collecting complete data for that household.
41. In the 2020 Decennial Census, the U.S. Census Bureau plans to have enumerators attempt to recontact in person those households without high-quality administrative records.
42. Every case in the NRFU workload will have a maximum of six unique contact days and 12 proxy attempts.
43. If a third attempt to contact a household does not yield a response, a case will become “proxy-eligible.”.
44. A proxy is someone who is not a member of the household—such as a neighbor, landlord, Postal worker, or other knowledgeable person who can provide information about the unit and the people who live there.
45. An enumerator will attempt three proxies after each non-interview for a proxy-eligible case.
46. For the 2010 Decennial Census, after three proxy attempts, a household became eligible for what is known as “whole-person imputation” or “whole household imputation,” in which the Bureau imputed the characteristics of the household, including in some circumstances the household member count.
47. After the NRFU process is completed, the Census Bureau then counts the responses from every household, including those completed through the NRFU process, as well as the data from the other enumeration operations, to determine the population count in each state.

48. Data from the Decennial Census are reported down to the census block level.
49. The population data collected through the Decennial Census determines the apportionment of seats in the U.S. House of Representatives among the states.
50. The population data collected through the Decennial Census also determines the number of electoral votes each state has in the Electoral College. .
51. States, counties, cities, and local public entities also use Decennial Census data to draw congressional, state, and local legislative districts.
52. The federal government also uses Decennial Census data to allocate hundreds of billions of dollars in public funding each year, including to states and local governments.
53. Approximately 132 programs used Census Bureau data to distribute hundreds of billions of dollars in funds during fiscal year 2015.
54. Among the programs that use Census Bureau data is the Home Investment Partnership Program (HOME), run by the Department of Housing and Urban Development (HUD), which uses Census Bureau data as part of its allocation formula under 42 U.S.C. §§ 12747(b).
55. Among the programs that use Census Bureau data is the Community Development Block Grant Program (CDBG), run by HUD, which uses Census Bureau data as part of its allocation formula under 42 U.S.C. § 5306(b).
56. Among the funding programs that use Census Bureau data are programs administered by the Department of Labor under the Workforce Innovation and Opportunity Act (WIOA), which use Census Bureau data as part of the allocation formulas set forth in 29 U.S.C. §§ 3162(C) and § 3172(C).
57. Among the programs that use Census Bureau data are Title I educational grant funds run by the U.S. Department of Education, which uses Census Bureau data as part of its allocation formula under 20 U.S.C. § 6333(c).
58. In 2010, there was a statistically insignificant net overcount of the total U.S. population by approximately 0.01%.
59. Some demographic groups have proven more difficult to count in the Decennial Census than others. The Census Bureau refers to these groups as “hard-to-count
60. Racial and ethnic minorities, immigrant populations, and non-English speakers have historically been some of the hardest groups to count accurately in the Decennial Census.
61. Individuals identifying as Hispanic were undercounted by almost 5% in the 1990 Decennial Census.
62. The 2010 Decennial Census undercounted on net more than 1.5 million Hispanic and African American individuals.

- 63. The Census Bureau describes the undercounting of a particular racial and ethnic group in comparison to the overall net undercount or overcount of the population as a whole as a “differential undercount,” as distinct from a “net undercount” of the entire population.
- 64. The Census Bureau has developed a range of strategies to address the differential undercount of “hard-to-count” populations—including targeted marketing and outreach efforts, partnerships with community organizations, deployment of field staff to follow up with individuals who do not respond, and retention of staff with foreign language skills.
- 65. In the 2000 and 2010 Decennial Censuses, the Census Bureau designed and implemented public advertising campaigns to reach hard-to-count immigrant communities, including using paid media in over a dozen different languages to improve responsiveness.
- 66. For the 2000 and 2010 Decennial Censuses, the Census Bureau also partnered with local businesses, faith-based groups, community organizations, elected officials, and ethnic organizations to reach these communities and improve the accuracy of the count.

b. The Long Form and the American Community Survey

- 67. From 1820 to 1950, with the exception of 1840, every Decennial Census asked a question concerning citizenship or birthplace in some form.
- 68. The 1830 Decennial Census asked whether individuals were “foreigners not naturalized.”
- 69. In the 1850, 1860, and 1880 Decennial Censuses, the questionnaires asked for place of birth, though not citizenship *per se*.
- 70. In the 1870 Decennial Census, the questionnaire included questions about the individual’s place of birth, whether either parent was of foreign birth, and whether the individual was a “Male citizen of U.S. 21 years of age and upwards.”
- 71. The 1890 Decennial Census asked for the place of birth of the respondent and his or her parents, and for adult males of foreign birth 21 years or older, the number of years the individual had resided in the United States, whether he had naturalized, or if not, whether naturalization papers had been taken out.
- 72. The 1900, 1910, 1920, and 1930 Censuses asked, with some variations, for the birthplaces of the individual and his or her parents, the year of immigration for all foreign-born individuals, and, for any adult male of foreign birth 21 years or older, whether he had naturalized or was an alien.
- 73. The 1940 Decennial Census asked for the individual’s place of birth and the citizenship of all foreign-born individuals.
- 74. The 1950 Decennial Census asked for the individual’s place of birth, and whether a foreign-born individual had been naturalized.
- 75. From 1790 to 1960, enumerators collected census information directly from households through in-person interviews.
- 76. In 1960, the Census Bureau asked 25% of the population for the respondent’s birthplace and that of his or her parents. It also asked all residents of New York and the foreign-born

residents of Puerto Rico about citizenship — the former “at the expense of the State, to meet State constitutional requirements for State legislative apportionment” and the latter, at the request of a census advisory committee, “to permit detailed studies of migration.”

77. A question concerning citizenship did not appear on the Decennial Census questionnaire sent to every household in the United States (commonly referred to as the “short form”) in 1970, 1980, 1990, 2000, or 2010.
78. From at least the 1970 Decennial Census through the 2000 Decennial Census, in lieu of the short-form questionnaire, the Census Bureau sent a long form questionnaire to approximately one in six households.
79. Data collected from the sample households surveyed with the long form were used to generate statistical estimates.
80. In the 1970, 1980, 1990, and 2000 Decennial Censuses, the long form Decennial Census questionnaire contained a question about citizenship status.
81. In the 1990 and 2000 Decennial Censuses, the citizenship status question on the long form questionnaire was preceded by a question about place of birth.
82. The citizenship data collected from the long form questionnaire was reported by the Census Bureau at the census block group level.
83. After the 2000 Decennial Census, the functions performed by the long form have been replaced by the American Community Survey (ACS).
84. The ACS began operating in 2000 and was at full sample size for housing units in 2005, and for group quarters in 2006.
85. The ACS is a yearly survey of approximately 2% of households—about 3.5 million—across the United States.
86. A question concerning citizenship status currently appears as among one of more than 50 questions on the 28-page ACS questionnaire.
87. The citizenship status question on the ACS is preceded by a question asking where the person was born.
88. The citizenship question that appears on the ACS is not a binary yes/no question.
89. The ACS citizenship question, asks whether the person was born in the United States, a U.S. territory, or abroad.
90. The data collected by the ACS allows the Census Bureau to produce estimates of Citizen Voting Age Population (CVAP).
91. CVAP data based on responses to the ACS are reported by the Census Bureau down to the census block group level.
92. Margins of error are reported with the ACS estimates and provide a measure of the sampling error associated with each estimate.

- 93. The ACS is intended to provide information on characteristics of the population, and the social and economic needs of communities.
- 94. Unlike the Decennial Census, the ACS is not a complete enumeration, but rather a sample survey that is used to generate statistical estimates.
- 95. Because ACS estimates are statistical estimates based on a sample, the tabulations are weighted to reflect sampling probabilities and to determine eligibility for follow-up, and are controlled to align with official population totals as established by the Population Estimates program.
- 96. Because the ACS collects information from only a small sample of the population, it produces annual estimates only for “census tract[s]” and “census-block groups.”
- 97. Although the ACS survey is conducted annually, ACS data from individual years can also be aggregated to produce multi-year estimates (commonly referred to as “1-year”, “3-year,” or “5-year” estimates, depending on the number of years aggregated together).
- 98. Multi-year ACS estimates have larger sample sizes than 1-year ACS estimates. Cumulating the five-year pooled estimates yields approximately a one-in-every-eight-household sample.
- 99. Multi-year ACS estimates have greater levels of statistical precision for estimates concerning smaller geographical units.
- 100. 1-year ACS estimates produce “[d]ata for areas with populations of 65,000+”; 1-year supplemental ACS estimates produce “[d]ata for areas with populations of 20,000+”; 3-year ACS estimates produced “[d]ata for areas with populations of 20,000+” until they were discontinued after the 2011-2013 3-year estimates; and 5-year ACS estimates produce “[d]ata for all areas.”
- 101. Neither the 2000 nor the 2010 Decennial Census short form questionnaires included a question on citizenship.

III. The 2020 Decennial Census

- 102. The 2020 Decennial Census will also be a “short form only” census.
- 103. The ACS will continue to be distributed each year, as usual, and will continue to include a citizenship question.
- 104. The text of the question to be included on the 2020 Decennial Census in response to Secretary Ross’s decision memorandum reads, “Is this person a citizen of the United States?,” with the answer options “Yes, born in the United States”; “Yes, born in Puerto Rico, Guam, the U.S. Virgin Islands, or Northern Marianas”; “Yes, born abroad of U.S. citizen parent or parents”; “Yes, U.S. citizen by naturalization – *Print year of naturalization*”; and “No, not a U.S. citizen.”
- 105. In a December 12, 2017 letter to the Secretary of the Department of Commerce, the Department of Justice “formally request[ed] that the Census Bureau reinstate on the 2020 Census questionnaire a question regarding citizenship,” explaining that “[t]his data is critical to the Department’s enforcement of Section 2 of the Voting Rights Act and its important protections against racial discrimination in voting.”
- 106. As in past years, the 2020 Decennial Census questionnaire will pose a number of questions, including questions regarding sex, Hispanic origin, race, and relationship status.

107. A planned question on the 2020 Decennial Census short form questionnaire asks “Is this person of Hispanic, Latino, or Spanish origin?”
108. A planned question on the 2020 Decennial Census short form questionnaire asks “What is this person’s race?”
109. A planned question on the 2020 Decennial Census short form questionnaire asks how each person in the household is related to the person filling out the questionnaire.
110. A planned question on the 2020 Decennial Census short form questionnaire asks, “What is this person’s sex?”

IV. California facts

111. California Governor Jerry Brown’s initial proposed to the California Legislature for the fiscal year 2018-2019 budget an appropriation of \$40.3 million “to be spent over a three-year period for statewide outreach and other activities related to the 2020 Census count.”
112. The enacted California state budget for fiscal year 2018-2019 included an appropriation of \$90.3 million “to support the California Complete Count effort, which was established within the Government Operations Agency to perform outreach focusing on hard-to-count populations for the decennial census.
113. In November 2018, the State of California allocated \$9,393,090 to the County of Los Angeles for 2020 Census outreach to hard-to-count populations.

Exhibit B

PLAINTIFFS' JOINT EXHIBIT LIST

State of California, et al. v. Wilbur L. Ross, et al., No. 3:18-cv-01865
City of San Jose, et al. v. Wilbur L. Ross, et al., No. 3:18-cv-02279

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-001	Initial Administrative Record [AR 000001-001320]	AR			
PTX-002	Supplemental Memorandum by Secretary of Commerce Wilbur Ross Regarding the Administrative Record in Census Litigation (6/21/2018) [AR 1321]	AR			
PTX-003	1st Supplemental AR Production [AR 1322-3735]	AR			
PTX-004-A	2nd Supplemental AR Production [AR 003736-4712]	AR			
PTX-004-B	2nd Supplemental AR Production [AR 4713-6680]	AR			
PTX-004-C	2nd Supplemental AR Production [AR 6681-9055]	AR			
PTX-004-D	2nd Supplemental AR Production [AR 9056-12464]	AR			
PTX-005	Disclosure Review Board (DRB) Release produced 8/28/2018 [0010357DRB - 0011004DRB] and DRB Release produced 9/4/2018 [0010608DRB - 0011003DRB]	AR			
PTX-006	Intentionally left blank				
PTX-007	4th Supplemental AR Production [AR 012464- 012543]	AR			
PTX-008	Privilege Overturns produced 9/17/2018 [AR 012476, 012755-012756]	AR			
PTX-009	DRB Release produced 9/19/2018 – 2017 ACS Data [AR 012757-012762]	AR			
PTX-010	Additional Stakeholder Briefs produced 9/26/2018 [AR 012763-012767]	AR			
PTX-011	Documents Produced in Response to 5th Motion to Compel [AR012768-012803]	AR			
PTX-012	Documents Produced in Response to Docket No. 349 [AR 012804-012826]	AR			
PTX-013	10th Supplemental AR Production [AR 012827- 013022]	AR			
PTX-014	Document Produced in Response to Docket No. 361 [AR 013023-013024]	AR			
PTX-015	DRB Release - Focus Group Materials produced 10/3/2018 [AR 013025-013099]				
PTX-016	Additional Supplemental AR Documents Produced by Defendants [11 excel sheets, 0012128-0012966]	AR (excl. <noisy_7>)			
PTX-017	Letter from A. Gary to J. Thompson re: Legal Authority for American Community Survey Questions (11/4/2016) [AR 000311]	AR			
PTX-018	Email from I. Hernandez to Secretary Ross and B. Lenihan, cc: E.Herbst, W. Teramoto re: Census Updates (8/8/2017) [AR 000317]	AR			

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-019	Email from K. Kobach to W. Teramoto re: Follow up on our phone call (7/24/2017) [AR 000763]	AR			
PTX-020	Letter from Secretary Ross to K. Harris (1/31/2018) [AR 000782]	AR			
PTX-021	Summary of Discussion between Secretary Ross and Rep. Pelosi re: 3/23/2018 meeting [AR 001274]	AR			
PTX-022	Memo from J. Abowd to Secretary Ross re: Technical Review of the Department of Justice to Add Citizenship Question to the 2020 Census (Jan. 19, 2018) [AR 001277]	AR			
PTX-023	Questions on the Jan 19 Draft Census Memo on the DoJ Citizenship Question Reinstatement Request (final AR version) [AR 001286]	AR			
PTX-024	Summary Analysis of the Key Differences Between Alternative C and Alternative D (No date) [AR 001304]	AR			
PTX-025	Memorandum from J. Abowd to W. Ross, Subject: "Preliminary analysis of Alternative D (Combined Alternatives B and C)" (March 1, 2018) AR 001308]	AR			
PTX-026	Memorandum from Secretary Ross to Karen Dunn Kelley re Reinstatement of Citizenship Question on the 2020 Decennial Census Questionnaire (3/26/18) ("Decision Memo") [AR 001313]	AR			
PTX-027	Email from A. Willard to R. Jarmin re: Please call Kevin (12/15/2017) [AR 001332]	AR			
PTX-028	Email from V. Velkoff to A. Willard re: Tuesday availability (7/25/2017) [AR 001393]	AR			
PTX-029	Email from A. Willard to V. Velkoff re: Tuesday availability (7/25/2017) [AR 001404]	AR			
PTX-030	Email from D. Langdon to E. Herbst re: Census Bureau briefing for OS politicals (2/2/2017) [AR 001410]	AR			
PTX-031	Email from E. Comstock to C. Neuhaus et al. re: Census (8/29/2017) [AR 001411]	AR			
PTX-032	Letter from A. Gary to R. Jarmin re: Request to Reinstate Citizenship Question on 2020 Census Questionnaire (12/12/2017) [AR 001525]	AR			
PTX-033	Email from J. Uthmeier to E. Lamas and R. Jarmin re: DOJ letter (12/15/2017) [AR 001634]	AR			
PTX-034	Questions on the Jan 19 Draft Census Memo on the DOJ Citizenship Question Reinstatement Request [AR 001954]	AR			

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-035	Email from K. Dunn Kelley to J. Uthmeier re: Prep for Wed Census meeting with Sec (9/5/2017) [AR 001996]	AR			
PTX-036	Email from K. Dunn Kelley to J. Uthmeier re: Prep for Wed Census meeting with Sec (9/5/2017) [AR 001998]	AR			
PTX-037	Email from J. Uthmeier to E. Comstock re: Census Matter Follow-up (9/7/2017) [AR 002034]	AR			
PTX-038	Email from James Uthmeier to Mark Neuman [confirmed by Privilege Log] re: Questions re Census (9/8/2017) [AR 002051_0001]	AR			
PTX-039	Email from M. Walsh to W. Teramoto and J. Rockas (3/16/2018) [AR 002160]	AR			
PTX-040	Email from W. Teramoto to J. Rockas re: NEED APPROVAL – GILLIAN QUOTES (3/16/2018) [AR 002167]	AR			
PTX-041	Email from C. Jones to E. Comstock re: Seeking comment - citizenship question (2/28/2018) [AR 002199]	AR			
PTX-042	Email from B. Reist to E. Comstock re: Citizenship Questions – Complete Set (2/2/2018) [AR 002292]	AR			
PTX-043	Questions on the Jan. 19 Draft Census Memo on the DOJ Citizenship Question Reinstatement Request [AR 002294]	AR			
PTX-044	Email from J. Uthmeier to E. Comstock re: Census Matter Follow-Up (9/7/2017) [AR 002395]	AR			
PTX-045	Email from Secretary Ross to E. Comstock (9/1/2017) [AR 002424]	AR			
PTX-046	Email from C. Neuhaus to S. Park-Su et al., re: Census (8/29/2017) [AR 002426]	AR			
PTX-047	Email from S. Park-Su to E. Comstock, cc: C. Neuhaus, M. Leach, I. Hernandez, C. Dorsey, M. Bedan, re: Census (8/29/2017) [AR 002429]	AR			
PTX-048	Email from E. Comstock to W. Teramoto re: Calls with DOJ (9/16/2017) [AR 002458]	AR			
PTX-049	Email from E. Comstock to P. Davidson, J. Uthmeier, cc: W. Teramoto, re: Census Matter Follow Up (9/7/2017) [AR 002459]	AR			
PTX-050	Email from E. Comstock to W. Teramoto re: Memo on Census Question (8/16/2017) [AR 002461]	AR			
PTX-051	Email from E. Comstock to [REDACTED] re: Call today to discuss DoC Issues (5/4/2017) [AR 002462]	AR			
PTX-052	Email from P. Davidson to W. Ross, re: Letter from DOJ (10/8/2017) [AR 002482]	AR			
PTX-053	Email from P. Davidson to B. Murnane re: John Gore from DOJ called - his number is [redacted] (11/27/2017) [AR 002496]	AR			
PTX-054	Email between E. Comstock, W. Ross, and W. Teramoto re: ITA Request for [Redacted] (9/1/2017) [AR 002519]	AR			

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-055	Email from E. Comstock to W. Ross re: Your Question on the Census (3/10/2017) [AR 002521]	AR			
PTX-056	Email from W. Ross to W. Teramoto re: Census (1/29/2018) [AR 002525]	AR			
PTX-057	Email from W. Ross to P. Davidson re: Census (9/19/2017) [AR 002528]	AR			
PTX-058	Email from B. Alexander to H. Geary (4/5/2017) [AR 002561]	AR			
PTX-059	Email between J. Gore and M. Leach, re: Call (9/13/2017) [AR 002628]	AR			
PTX-060	Email from Macie Leach to John Gore re: Call (9/13/2017) [AR 002634]	AR			
PTX-061	Emails between W. Teramoto, D. Cutrona, J. Gore re: Call (9/18/2017) [AR 002636]	AR			
PTX-062	Email from W. Teramoto to D. Cutrona re: Call (9/18/2017) [AR 002637]	AR			
PTX-063	Email from W. Teramoto to J. Gore and D. Cutrona re: Call (9/16/2017) [AR 002639]	AR			
PTX-064	Email from J. Rockas to K. Manning re: Citizenship Question (3/19/2018) [AR 002643]	AR			
PTX-065	Email from J. Rockas to W. Teramoto (3/16/2018) [AR 002646]	AR			
PTX-066	Intentionally left blank				
PTX-067	Email from D. Cutrona to W. Teramoto re: Call (9/18/2017) [AR 002651]	AR			
PTX-068	Email from D. Cutrona to W. Teramoto re: Call (9/17/2017) [AR 002653]	AR			
PTX-069	Email between W. Teramoto and M. Leach, re: John Gore-DOJ (9/15/2017) [AR 002659]	AR			
PTX-070	2016 Internet Breakoff Rates [AR 002737]	AR			
PTX-071	Email from R. Jarmin to K. Kelley re: Question (2/14/2018) [AR 003274]	AR			
PTX-072	Email from R. Jarmin to K. Kelley re: Request to Reinstate Citizenship Question on 2020 Census Questionnaire (12/22/2017) [AR 003289]	AR			
PTX-073	Email from S. Buckner to R. Jarmin re: Urgent query from Science (1/2/2018) [AR 003323]	AR			
PTX-074	Email from E. Lamas to A. Willard re: Please call Karen (12/15/2017) [AR 003347]	AR			
PTX-075	Email from J. Abowd to R. Jarmin re: DOJ Letter (12/15/2017) [AR 003354]	AR			
PTX-076	Email from R. Jarmin to K. Kelley re: DOJ (2/6/2018) [AR 003460]	AR			

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-077	Email from E. Lamas to K. Kelley re: Two questions from Molly McCarthy on Citizenship as a topic (10/11/2017) [AR 003470]	AR			
PTX-078	Email from S. Park-Su to M. Walsh and B. Lenihan re: FW: MOU Update (3/6/2018) [AR 003588]	AR			
PTX-079	Email from E. Comstock to K. Kelley, M. Walsh, and J. Rockas re: Potential House CJS Minority Questions for Tomorrow's Hearing (3/20/2018) [AR 003597]	AR			
PTX-080	Email from D. Langdon to E. Comstock re: 2020 Census Topics (3/10/2017) [AR 003685]	AR			
PTX-081	Email from D. Langdon to E. Comstock and E. Herbst re: 2020 topics briefing (3/15/2017) [AR 003686]	AR			
PTX-082	Email from B. Alexander to E. Comstock (4/20/2017) [AR 003694]	AR			
PTX-083	Email from E. Comstock to W. Ross re: "FW: Census Testimony for Wed. May 3 House CJS Hearing" (5/1/2017) [AR 003695]	AR			
PTX-084	Email from W. Ross to W. Teramoto re: Census (5/2/2017) [AR 003699]	AR			
PTX-085	Email from E. Comstock to E. Branstad re: DOJ contact (5/4/2017) [AR 003701]	AR			
PTX-086	Email from D. Langdon to L. Blumerman, "Fwd: Requested Information - Legal Review All Residents..." (5/24/2017) [AR 003702]	AR			
PTX-087	Calendar Invite from J. Uthmeier to E. Comstock for meet with James re: Census Citizenship (6/27/2017) [AR 003705]	AR			
PTX-088	Email from A.M. Neuman to E. Comstock re: Census Question (4/14/2017) [AR 003709]	AR			
PTX-089	Email between E. Comstock and W. Ross re: Census (5/2/2017) [AR 003710]	AR			
PTX-090	Draft Response Template re: Citizenship Question [AR 003870]	AR			
PTX-091	Memo from W. Ross to K. D. Kelley re: Reinstatement of a Citizenship Question on the 2020 Decennial Census Questionnaire (3/26/2018) [AR 003893]	AR			
PTX-092	Email from K. Kelley to R. Jarmin re: re: Need DOC Guidance--Race/Ethnicity Questions and Citizenship (1/24/2018) [AR 003978]	AR			
PTX-093	Email from Quinley to Kelly, et al. RE: Agenda for January 11 Steering Committee (1/10/18) [AR 3981]	AR			
PTX-094	Agenda for Steering Committee meeting, January 11, 2018, 11:45 AM to 12:45 AM [AR 3982]	AR			
PTX-095	Email from W. Teramoto to E. Comstock re: Memo on Census Question (8/16/2017) [AR 003983]	AR			
PTX-096	Email from W. ilbur Ross to Earl Comstock re: Census Matter (8/10/2017) [AR 003984]	AR			

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-097	Email from E. Comstock to W. Ross, cc: W. Teramoto, re: ITA Request for [redacted] (9/1/2017) [AR 004002]	AR			
PTX-098	Email from E. Comstock to W. Ross (8/8/2017) [AR 004004]	AR			
PTX-099	PowerPoint Presentation (with notes) titled, "Submission of the 2020 Census and American Community Survey Questions to Congress" (Feb. 2018) [AR 4802]	AR			
PTX-100	Hearing Prep: Tribal Qs&As for February 14, 2018 [AR 004863]	AR			
PTX-101	Memo from J. Abowd to R. Jarmin re: Summary of Quality/ Cost of Alternatives for Meeting Department of Justice Request for Citizenship Data (1/3/2018) [AR 005473]	AR			
PTX-102	Email from R. Jarmin to A. Gary re: Request to Reinstate Citizenship Question on 2020 Census Questionnaire (1/3/2018) [AR 005489]	AR			
PTX-103	Alternative Sources of Citizenship Data for the 2020 Census (12/22/2017) [AR 005500]	AR			
PTX-104	Memo from S. Ewert to K. Humes re: Citizenship and survey response rates (2/7/2017) [AR 005596]	AR			
PTX-105	Email from K. Prewitt to J. Abowd re census citizenship (2/25/2018) [AR 006156]	AR			
PTX-106	Email from M. Hansen to S. Jost re: Census 2020 (2/6/2018) [AR 006236]	AR			
PTX-107	Email from J. David Brown to J. Eltinge, et al. re: Methodological text and selected references (1/3/2018) [AR 006575]	AR			
PTX-108	Email from M. Heggeness to J. Abowd re: Internal Meeting Re: DOJ Letter Response (1/2/2018) [AR 006623]	AR			
PTX-109	Email from P. Beatty to J. Abowd re: Trump Justice Department Pushed for Citizenship Question on Census (1/2/2018) [AR 006629]	AR			
PTX-110	Email from R. Jarmin to A. Fontenot, J. Abowd re: Request to Reinstate Citizenship Question on 2020 Census Questionnaire (12/22/2017) [AR 006659]	AR			
PTX-111	Letter from Arthur Gary to Defendant Jarmin, Re: Request to Reinstate Citizenship Question on 2020 Census Questionnaire (12/12/2017) [AR 007729]	AR			
PTX-112	Email from J. Abowd to J. Whitehorne re: Citizenship on the ACS (12/18/2017) [AR 008239]	AR			
PTX-113	2020 Census: Adding Content to the Questionnaire [AR 008291]	AR			
PTX-114	Email from R. Jarmin to C. Jones re: Question (2/14/2018) [AR 008325]	AR			
PTX-115	Email from R. Jarmin to A. Fontenot re: Citizenship question (1/18/2018) [AR 008345]	AR			

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-116	Email from J. Thompson to R. Jarmin re: Letter to Secretary Ross (1/29/2018) [AR 008554]	AR			
PTX-117	Letter from former Census Directors Barabba, Riche, Prewitt, Murdock, Groves, and Thompson to Secretary Ross (1/26/2018) [AR 008555]	AR			
PTX-118	Email from E. Lamas to S. Buckner re: DOC Clearance Update (1/24/2018) [AR 008558]	AR			
PTX-119	Email from S. Buckner to R. Jarmin (1/4/2018) [AR 008630]	AR			
PTX-120	Email from J. Abowd to S. Garfinkel re: 2018-03- 08 Challenges and Experiences Adapting Differentially Private Mechanisms to the 2020 Census (3/5/2018) [AR 008911]	AR			
PTX-121	Garfinkel Presentation- “Challenges and Experiences Adapting Differentially Private Mechanisms to the 2020 Census” [AR 008912]	AR			
PTX-122	Email from J. Abowd to B. Reist et al. re: FINAL VERSION ATTACHED (1/4/2018) [AR 009008]	AR			
PTX-123	Email from J. Abowd to J. Brown et al. re: DOJ Letter Follow-up (12/19/2017) [AR 009068]	AR			
PTX-124	Email from C. Jones to S. Park-Su re: Draft Response to Question (2/24/2018) [AR 009190]	AR			
PTX-125	Email from K. Hancher to R. Jarmin re: DOJ Meeting (2/15/2018) [AR 009193]	AR			
PTX-126	Email from J. Abowd to K. Evans re: Is this the memo you referred to on the call? (3/5/2018) [AR 009345]	AR			
PTX-127	Email from R. Jarmin to M. Berning re: SSA (2/13/2018) [AR 009444]	AR			
PTX-128	Email from J. Treat to R. Jarmin re: Notes from the meeting with the Secretary (2/13/2018) [AR 009450]	AR			
PTX-129	Email from [Redacted] to R. Jarmin re: Items (1/2/2018) [AR 009679]	AR			
PTX-130	2016 Breakoff data [AR 009692]	AR			
PTX-131	Email from R. Jarmin to K. Kelley re: Need DOC Guidance--Race/Ethnicity Questions and Citizenship (1/24/2018) [AR 009739]	AR			
PTX-132	Email to K. Kelley re: Items to cover w/ Izzy (9/5/2017) [AR 009799]	AR			
PTX-133	Memo from J. Abowd to W. Ross re: Preliminary analysis of Alternative D (Combined Alternatives B and C) (3/1/2018) [AR 009812]	AR			
PTX-134	Memo from E. Comstock to W. Ross re: Census Discussions with DoJ (9/8/2017) [AR 009834]	AR			
PTX-135	2020 Census: Adding Content to the Questionnaire [AR 009865]	AR			

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-136	2017 Break-off analysis [AR 010382]	AR			
PTX-137	Memorandum from Center for Survey Measurement (CSM) to Associate Directorate for Research and Methodology re: Respondent Confidentiality Concerns (9/20/2017) (redacted) [AR 010386]	AR			
PTX-138	American Community Survey (ACS) Response Rate by Mode (CAPI Data Tables) [AR 010408]	AR			
PTX-139	Draft Memo - 2018.Executive Summary [AR 010499]	AR			
PTX-140	Draft Memo - 2018.Executive Summary [AR 010509]	AR			
PTX-141	Questions on the Jan 19 Draft Census Memo on the DOJ Citizenship Question Reinstatement Request [AR 010895]	AR			
PTX-142	Memo from S. Ewert to K. Humes re: Citizenship and survey response rates (2/7/2017) [AR 010913]	AR			
PTX-143	Spreadsheet re: Question Assignments [AR 010950]	AR			
PTX-144	Email from P. Davidson to W. Ross, re: Census Questions (11/28/2017) [AR 011193]	AR			
PTX-145	Email from B. Page to R. Jarmin re: Census Question Request (12/20/2017) [AR 011194]	AR			
PTX-146	Email from J. Uthmeier to M. Neuman [confirmed by Privilege Log] re: Questions re Census (9/13/2017) [AR 011329]	AR			
PTX-147	Email to W. Ross and W. Teramoto from E. Comstock re: Memo on Census Question (8/11/2017) [AR 011362]	AR			
PTX-148	Memo from M. Berning et al., to J. Abowd re: Alternative Sources of Citizenship Data for the 2020 Census (12/22/2017) [AR 011634]	AR			
PTX-149	Email from K. Dunn Kelley to A. Willard re: Notes from drive (10/9/2017) [AR 012464]	AR			
PTX-150	Email chain between Ross and Dunn Kelley (1/16/2018) [AR 012479]	AR			
PTX-151	Email chain between Langdon and census employees (5/24/2017) [AR 012541]	AR			
PTX-152	2017 Breakoff Rates by Race Group [AR 012757]	AR			
PTX-153	2020 CBAMS Focus Groups Audience Summary Report [AR 013025]		Abowd		
PTX-154	Email from Secretary Ross to W. Teramoto dated 9/19/2017, forwarding 9/8/2017 memo from Comstock to Secretary Ross (unredacted) [COM_DIS00016106]	AR			
PTX-155	Intentionally left blank				

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-156	2012-2016 ACS CAPI Response Rate by Tract Percentage of Housing Units with at least One Noncitizen [0010678DRB]	AR			
PTX-157	Memorandum from Center for Survey Measurement to Associate Directorate for Research and Methodology re: Respondent Confidentiality Concerns (Sept. 20, 2017) [COM_DIS00002446]	AR			
PTX-158	Mikelyn Meyers, U.S. Census Bureau, Respondent Confidentiality Concerns in Multilingual Pretesting Studies and Possible Effects on Response Rates and Data Quality for the 2020 Census (May 16, 2018) [COM_DIS00002454]		O'Muircheart aigh		
PTX-159	2020 Census Barriers, Attitudes and Motivators Study (CBAMS) Brief Update [COM_DIS00008554]		Abowd		
PTX-160	Brown, David, et al., Understanding the Quality of Alternative Citizenship Data Sources for the 2020 Census (August 6, 2018) [COM_DIS00009833]		Abowd		
PTX-161	2020 Census Barriers, Attitudes and Motivators Study (CBAMS) High-Level Findings [COM_DIS00010669]		Abowd		
PTX-162	Email from Victoria Valkoff re Proposed Content Test - Victoria Velkoff [COM_DIS00010789]		Abowd		
PTX-163	Proposed Content Test - Victoria Velkoff [COM_DIS00010785]		Abowd		
PTX-164	Letter from Goodlatte to Ross (2/27/2018) [AR 1164]	AR			
PTX-165	Letter from Mateer to Jarmin (2/23/2018) [AR 1155]	AR			
PTX-166	Letter from Lawson to Ross (2/23/2018) [AR 1153]	AR			
PTX-167	Letter from Warner to Ross (2/23/2018) [AR 1159]	AR			
PTX-168	Letter from Marshall to Ross (2/23/2018) [AR 1161]	AR			
PTX-169	Letter from Hunter to Ross (3/13/2018) [AR 1210]	AR			
PTX-170	Letter from Cotton to Ross (2/27/2018) [AR 1178]	AR			

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-171	Press Release re: Cotton, Cruz, and Inhofe Applaud Addition of Citizenship Question to Census (3/27/2018) [COM_DIS00014128]				
PTX-172	Letter from Kirsanow to Jarmin (3/15/2018) [AR 1217]	AR			
PTX-173	Letter from Kobach to Ross (2/12/2018) [COM_DIS00014132]	AR			
PTX-174	Letter from King to Ross (2/16/2018) [AR 1129]	AR			
PTX-175	Report re "letters received" [COM_DIS00014138]	AR			
PTX-176	Email chain between W. Ross, B. Lenihan, J. Uthmeier, J. Rockas re: SHORT FUSE: Fw: Census/immigration status story (Deadline: Today 2:45pm) (12/29/2017) [COM_DIS00014335]	AR			
PTX-177	Email chain between W. Ross, B. Lenihan, J. Uthmeier, J. Rockas re: SHORT FUSE: Fw: Census/immigration status story (Deadline: Today 2:45pm) (12/29/2017) [COM_DIS00014338]	AR			
PTX-178	Email chain between J. Uthmeier, S. Park-Su, E. Comstock, P. Davidson, W. Teramoto, re: Census Matter Follow-Up (9/11/2017) [COM_DIS00014666]	AR			
PTX-179	Email between W. Ross and W. Teramoto re: Census (5/2/2017) [COM_DIS00016118]	AR			
PTX-180	Email chain between E. Herbst, M. Neuman, E. Comstock re: 17-053169 (3/14/2017) [COM_DIS00016561]	AR			
PTX-181	Email between E. Comstock and M. Neuman, re: Census Question (4/14/2017) [COM_DIS00018614]	AR			
PTX-182	Email between E. Comstock and M. Neuman re: One of the Supreme Court cases that informs planning for 2020 Census (4/11/2017) [COM_DIS00018615]	AR			
PTX-183	Emails between W. Teramoto and B. Lenihan email re: where are KDK murder boards (6/19/2017) [COM_DIS00020349]		Teramoto		
PTX-184	Email between Teramoto, Kelley and Neuman re: IMPORTANT: From Oversight Hearing (10/13/2017) [COM_DIS00020557]	AR			
PTX-185	Emails between A. Willard, S. Park-Su, K. Dunn Kelley re: Mark Neuman mtg req. (8/29/2017) [COM_DIS00020561]	AR			
PTX-186	Schedule for Secretary Ross's Conference Room, 2018, Redacted [COM_DIS00021107]				
PTX-187	Schedule for Secretary Ross, 2017, Redacted [COM_DIS00021159]				

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-188	Schedule for Secretary Ross, 2018, Redacted [COM_DIS00021255]				
PTX-189	Schedule for Secretary Ross's Conference Room, 2017, Redacted [COM_DIS00021330]				
PTX-190	Email Chain between John Gore and Arthur Gary, Subject: "RE: following up" (Jan. 29, 2018) [DOJ00002712]		Gore		
PTX-191	Email from R. Jarmin to A. Gary (1/10/2018) [DOJ 2713]		Gore		
PTX-192	Email from A. Gary to R. Jarmin (1/2/2018) [DOJ 2714]		Gore		
PTX-193	Email from A. Gary to R. Jarmin (12/22/2017) [DOJ 2715]		Gore		
PTX-194	Email from R. Jarmin to A. Gary (12/22/2017) [DOJ 2716]		Gore		
PTX-195	Email from Ben Aguinaga to Bethany Pickett re "FW: Confidential & Close Hold: Draft Letter" dated November 3, 2017 [DOJ00003740]		Gore		
PTX-196	Letter from CSAC attached to Gary email (12/9/2018) [DOJ 35722]				
PTX-197	NAC Fall Meeting 2017 Agenda				
PTX-198	NAC Spring 2018 Meeting Agenda				
PTX-199	NAC Membership List				
PTX-200	NAC Standard Operating Procedures October 2018				
PTX-201	Respondent Confidentiality Concerns on Possible Effects on Response Rates and Data Quality for the 2020 Census Arturo Vargas Discussant				
PTX-202	American Community Survey Questionnaire 2017		O'Muircheart aigh		
PTX-203	Census 2000 Long Form Questionnaire		Abowd		
PTX-204	Census 1950 Census of Population and Housing Questionnaire		Abowd		
PTX-205	U.S. Census Bureau, U.S. Census Bureau Statistical Quality Standards (July 2013)		Abowd		
PTX-206	Census 2000 Brief Overview of Race and Hispanic Origin (March 2001)		Abowd		
PTX-207	Nicholas Alberti, 2005 National Content Test: Analysis of the Race and Ethnicity Question, U.S. Census Bureau (2006).		Abowd		

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-208	2010 Census Coverage Measurement Estimation Report: Components of Census Coverage for the Household Population in the United States (Memo: DSSD 2010 CENSUS COVERAGE MEASUREMENT MEMORANDUM SERIES #2010-G-04)		Abowd		
PTX-209	2020 Census Planning Survey ("Census Barriers, Attitudes and Motivators Study") [COM_DIS00008554]		Abowd		
PTX-210	2020 Census Integrated Communications Plan		Abowd		
PTX-211	Mule, T., 2010 Census Coverage Measurement Estimation Report: Summary of Estimates of Coverage for Persons in the United States, (DSSD 2010 CENSUS COVERAGE MEASUREMENT MEMORANDUM SERIES #2010-G-01) [AR 11390]	AR			
PTX-212	Proposed Content Test on Citizenship Question (Abowd Deposition Exhibit)		Abowd		
PTX-213	Draft Executive Order - Memorandum for the President from Andrew Bremberg re: Executive Order on Protecting American Jobs and Workers by Strengthening the Integrity of Foreign Worker Visa Programs (1/23/2017)				
PTX-214	Memo from L. Blumerman to the Record re: Planned Development and Submission of Subjects Planned for the 2020 Census Program and Questions Planned for the 2020 Census Program (4/29/16)		Abowd		
PTX-215	John Gore Congressional Testimony (Written Statement before the House Committee on Oversight and Government Reform) (5/18/18)		Gore		
PTX-216	Gore Congressional Testimony - Bloomberg Video Excerpt from Time 1:14:43 to 1:15:35		Gore		
PTX-217	U.S. Department of Commerce Census Bureau National Advisory Committee (NAC) on Racial, Ethnic, and Other Populations Charter (3/23/18)		Jarmin		
PTX-218	U.S. Department of Commerce Census Bureau of the Census Scientific Advisory Committee (CSAC) Charter		Jarmin		
PTX-219	Prepared Statement of Ron Jarmin, Ph.D. and Earl Comstock Before the Committee on Oversight and Government Reform U.S. House of Representatives- "Progress Report on the 2020 Census" (5/8/18)		Jarmin		
PTX-220	Questions Planned for the 2020 Census and the American Community Survey : A Process Overview- Presentation by J. Ortman (3/29/18)		Jarmin		

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-221	Prepared Statement of J. Thompson before the Appropriations Committee's Subcommittee on Commerce, Justice, Science and Related Agencies (5/3/17)		Teramoto		
PTX-222	Statement of Karen Dunn Kelley Before the Senate Commerce, Science and Transportation Committee (7/26/17)		Kelley		
PTX-223	Defendants' Objections and Responses to Plaintiffs' Requests for Expedited Production of Documents and First Set of Interrogatories to Defendants USDOC and Wilbur Ross (8/13/18)		Kelley		
PTX-224	J. Uthmeier Declaration (State of New York, et al. v. United States Department of Commerce, et al., ECF No. 253)		Kelley		
PTX-225	Transcript--Committee on Oversight and Government Reform Progress Report on the 2020 Census (5/8/18)		Comstock		
PTX-226	Defendants' Initial Disclosures (7/23/2018)				
PTX-227	Email from R. Jarmin to K. Kelley re: DOJ (12/19/2017) [AR 001357]	AR			
PTX-228	Email from R. Jarmin to K. Kelley Re: Question (2/13/2018) [AR 004853]	AR			
PTX-229	Howard Hogan, et al., Quality and the 2010 Census		Abowd		
PTX-230	Document prepared by John Abowd and David Brown		Abowd		
PTX-231	Memo from P. Cantwell to D. Whitford re: 2010 Census Coverage Measurement Estimation Report: Components of Census Coverage for the household Population in the United States (DSSD 2010 CENSUS COVERAGE MEASUREMENT MEMORANDUM SERIES #2010-G-06)		Abowd		
PTX-232	Siegel & Passel, Coverage of the Hispanic Population of the United States in the 1970 Census - A Methodological Analysis		Abowd		
PTX-233	Defendants' Reply Memorandum and Opposition to Plaintiffs' Motion for Summary Judgment, Federation for American Immigration Reform (FAIR) v. Philip M. Klutznick, et al. (1980 WL 683642)				
PTX-234	Defendants' Objections and Responses to Plaintiffs' Requests for Admission to Defendant United States Census Bureau (10/23/2018)		Park-Su		
PTX-235	Defendants' Objections and Responses to Plaintiffs' Requests for Admission to Defendant United States Department of Commerce (10/23/2018)		Park-Su		
PTX-236	Defendants' Objections and Responses to Plaintiffs' Third Set of Interrogatories (10/23/18)		Park-Su		

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-237	Commerce Response to NYIC Plaintiffs' First Set of RFPs and Interrogatories (8/13/2018)				
PTX-238	Commerce Supplemental Response to NYIC Plaintiffs' First Set of Interrogatories (9/5/2018)				
PTX-239	Defendants' Second Supplemental Response to Plaintiffs' First Set of Interrogatories to Defendants United States Department of Commerce and Wilbur Ross (Re: Interrogatory 1) (10/11/2018)				
PTX-240	Defendants' Response to Plaintiffs' Second Set of Interrogatories (9/28/2018)				
PTX-241	Census Equity Act: Hearings Before the Subcomm. on Census & Population of the H. Comm. On Post Office & Civ. Serv., 101st Cong. 43–45, 59 (1989) (statement of C. Louis Kincannon, Deputy Director, Census Bureau)		Neuman		
PTX-242	Testimony of John Keane, Director, Census Bureau, Exclude Undocumented Residents from Census Counts Used for Apportionment: Hearing Before the Subcomm. on Census & Population of the H. Comm. on Post Office & Civil Serv., 100th Cong. 50–51 (1988)				
PTX-243	Brief of Former Directors of the U.S. Census Bureau as Amici Curiae Supporting Appellees, <i>Evenwel v. Abbott</i> , 136 S. Ct. 1120 (2016)				
PTX-244	Email from Langdon to Comstock (5/24/2017) [AR 0012465]	AR			
PTX-245	Chart: Federal Assistance Programs with Allocation Formulas Affected by Decennial Census Undercount		Reamer		
PTX-246	Schematic of census-derived datasets		Reamer		
PTX-247	Department of Justice's Guidance Concerning Redistricting Under Section 5 of the Voting Rights Act, 76 F.R. 27, 7649, 7471 (Feb. 9, 2011).		Handley		
PTX-248	U.S. Census Bureau News Release, "Census Bureau Releases Estimates of Undercount and Overcount in the 2010 Census" (5/22/12), at: https://www.census.gov/newsroom/releases/archives/2010_census/cb12-95.html		Handley		
PTX-249	Assessing Net Coverage Error for Young Children in the 2010 U.S. Decennial Census		O'Muircheart aigh		
PTX-250	U.S. Census Bureau, "Investigating the 2010 Undercount of Young Children – Analysis of Census Coverage Measurement Results" (Jan. 2017)		O'Muircheart aigh		

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-251	W.P. O'Hare, "Citizenship Question Nonresponse: A Demographic Profile of People Who Do Not Answer the American Community Survey Citizenship Question," Georgetown Law: Ctr. On Poverty & Inequality (Sept. 2018)		O'Muircheart aigh		
PTX-252	U.S. Census Bureau (2012) 2010 Census Mail Response/Return Rates Assessment Report. 2010 Census Planning Memorandum Series		O'Muircheart aigh		
PTX-253	U.S. Census Bureau (2003) Census 2000 Mail Return Rates, Census 2000 Evaluation A.7.b, Herbert Stackhouse and Sarah Brady, January 30, 2003, Tables 10, 12 and 16.		O'Muircheart aigh		
PTX-254	Word, D.L., (1997) "Who Responds? Who Doesn't?: Analyzing Variation in Mail Response Rates During the 1990 Census," Population Division Working Paper No. 19, Table 2.0		O'Muircheart aigh		
PTX-255	U.S. Census Bureau (2014). 2014 Planning Database, U.S. Census Bureau		O'Muircheart aigh		
PTX-256	U.S. Census Bureau, "The Undercount of Young Children," (Feb. 2014)		O'Muircheart aigh		
PTX-257	Fernandez, L, Shattuck, R., and Noon, J., U.S. Census Bureau (2018), "The Use of Administrative Records and the American Community Survey to Study the Characteristics of Undercount Young Children in the 2010 Census," Center for Administration Records Research and Application Working Paper #2018-05		O'Muircheart aigh		
PTX-258	U.S. Census Bureau, State Mail Return Rates 2010 Census		O'Muircheart aigh		
PTX-259	U.S. Census Bureau Memorandum re A.C.E. Revision II: Summary of Estimated Net Coverage (12/31/02) (DSSD A.C.E. REVISION II MEMORANDUM SERIES #PP-54)		O'Muircheart aigh		
PTX-260	U.S. Census Bureau Memorandum re A.C.E. Revision II - Adjusted Data for States, Counties, and Places (4/9/13) (DSSD A.C.E. REVISION II MEMORANDUM SERIES #PP-60).		O'Muircheart aigh		
PTX-261	U.S. Census Bureau, "1990 Mail Response rates by 1990 Geography Boundaries," available at: https://www.census.gov/dmd/www/mailresp.html		O'Muircheart aigh		
PTX-262	Federal Register Vol. 79, No. 213, Office of Management & Budget, Statistical Policy Directive No. 1: Fundamental Responsibilities of Federal Statistical Agencies and Recognized Statistical Units		Habermann		
PTX-263	Principles and Practices for a Federal Statistical Agency, Sixth Edition (2017)		Barreto		

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-264	Subjects Planned for the 2020 Census and American Community Survey (Issued March 2017, Revised) [AR 0000194]	AR			
PTX-265	Charter of the Interagency Council on Statistical Policy, Subcommittee on the American Community Survey (Aug. 10, 2012, rev. Nov. 15, 2017)		Abowd		
PTX-266	Office of Management and Budget (OMB), Standards and Guidelines for Statistical Surveys (Sept. 2006)		Habermann; O'Muircheart aigh		
PTX-267	Statistical Policy Directive No. 2 Addendum: Standards & Guidelines for Cognitive Interviews		Habermann; O'Muircheart aigh		
PTX-268	United Nations, Principles and Recommendations for Population and Housing Censuses				
PTX-269	Office of Management & Budget, Instructions for Requesting OMB Review Under the PRA, OMB FORM 83-I INST, 10/95		Habermann		
PTX-270	U.S. Census Bureau, Census Bureau Standard: Pretesting Questionnaires and Related Materials for Surveys and Censuses (2003)		O'Muircheart aigh		
PTX-271	Bates, et al., Public Attitudes Toward the Use of Administrative Records in the U.S. Census: Does Question Frame Matter?, Research Report Series Survey Methodology #2012-04 (2012)		O'Muircheart aigh		
PTX-272	U.S. Government Accountability Office (GAO), Actions Needed to Address Challenge to Enumerating Hard-to-Count Groups (GAO-18-599) (July 2018)		O'Muircheart aigh		
PTX-273	U.S. Census Bureau, Memorandum re 2010 Census Item Nonresponse and Imputation Assessment Report, 2010 CENSUS PLANNING MEMORANDA SERIES NO. 173 (2/8/12)				
PTX-274	U.S. Census Bureau 2017, “2020 Census Operation Plan: A New Design for the 21st Census. V.3.” (September, 2017)	AR			
PTX-275	U.S. Census Bureau, Data Stewardship Executive Policy Committee, DS-16 Checklist for a Survey’s Handling of Sensitive Topics and Very Sensitive Topics in Dependent Interviewing				
PTX-276	U.S. General Accounting Office (GAO), Survey Methodology: An Innovative Technique for Estimating Sensitive Survey Items (GAO/GGD-00-30) (November 1999)				

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-277	EB Jensen, R. Bhaskar and M. Scopilliti (2015), "Demographic analysis 2010: Estimates of coverage of the foreign-born population in the American Community Survey," Population Division, US Census Bureau, Working Paper (103)				
PTX-278	U.S. Census Bureau (Nov. 10, 1988), Issue Paper On The 1990 Census Race Question, p. 3.)		O'Muircheart aigh		
PTX-279	U.S. Census Bureau, "Investigating the 2010 Undercount of Young Children – A Comparison of Demographic, Housing, and Household Characteristics of Children by Age" (1/18/17)				
PTX-280	Presser, S., Couper, M., Lessler, J., Martin, E., Martin, J., Rothgeb, J., and Singer, E., (2004) "Methods for testing and evaluating survey questions," Public Opinion Quarterly, 68(1), pp. 109-130.		O'Muircheart aigh		
PTX-281	Bond et al., "The Nature of Bias When Studying Only Linkable Person Records: Evidence from the American Community Survey," 2014		O'Muircheart aigh		
PTX-282	Terry, R.L., Schwede, L., King, R., Martinez, M. and Childs, J.H., "Exploring Inconsistent Counts of Racial/Ethnic Minorities in a 2010 Census Ethnographic Evaluation," Bulletin of Sociological Methodology, 135(1), pp. 32-49 (2017)		Barreto		
PTX-283	Elizabeth Martin (1999), "Who knows who lives here? Within-household disagreements as a source of survey coverage error." Public Opinion Quarterly: 220-236; Elizabeth Martin (2007)		O'Muircheart aigh		
PTX-284	Robert Fay (1989), "An Analysis of Within-Household Undercoverage in the Current Population Survey." Proceedings, Annual Research Conference, U.S. Census Bureau.		O'Muircheart aigh		
PTX-285	Kissam, Edward. 2017. "Differential Undercount of Mexican Immigrant Families in the US Census." Statistical Journal of the IAOS 33(3): 797–816.		O'Muircheart aigh; Barreto		
PTX-286	Elizabeth Martin (2007), "Strength of attachment: Survey coverage of people with tenuous ties to residences." Demography 44: 427-440.		O'Muircheart aigh		
PTX-287	Mary H Mulry, and Andrew D. Keller (2017), "Comparison of 2010 Census Nonresponse Follow-Up Proxy Responses with Administrative Records Using Census Coverage Measurement Results." Journal of Official Statistics 33, no. 2 (2017): 455-475.		O'Muircheart aigh		
PTX-288	J. David Brown, Jennifer H. Childs, and Amy O'Hara, "Using the Census to Evaluate Administrative Records and Vice Versa," Proceedings of the 2015 Federal Committee on Statistical Methodology (FCSM) Research Conference (2015)		O'Muircheart aigh		

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-289	Richard A. Griffin, "Issues Concerning Imputation of Hispanic Origin due to Administrative Record Enumeration for the 2020 Census," Proceedings of the Survey Research Methods Section, American Statistical Association (2014)		O'Muircheart aigh		
PTX-290	U.S. Census Bureau, Memorandum re 2010 Census Coverage Measurement Estimation Report: Net Coverage for Household Population in the United States (DSSD 2010 CENSUS COVERAGE MEASUREMENT MEMORANDUM SERIES #2010-G-03) (5/22/12)				
PTX-291	U.S. Census Bureau, 2020 Census Operational Plan: A New Design for the 21st Century, Version 3.0, (9/2017)		Abowd		
PTX-292	Sonya Rastogi and Amy O'Hara, "2010 Census Match Study." Center for Administrative Records Research and Applications, U.S. Census Bureau (2012), p 21.				
PTX-293	U.S. Census Bureau, Investigating the 2010 Undercount of Young Children – A New Look at 2010 Census Omissions by Age (7/26/16)		O'Muircheart aigh		
PTX-294	U.S. Census Bureau, 2010 Census Summary File 1, 2010 Census of Population and Housing (Issued September 2012)				
PTX-295	H. Hogan, P. Cantwell, J. Devine, V. Mule Jr., V. Velkoff, Population Research and Policy Review, Vol. 32, No. 5, New Findings from the 2010 Census (Oct. 2013)		O'Muircheart aigh		
PTX-296	Dr. Barreto Raw Survey Data (File name: Census data 081418.dta) [BARRETO_000011]		Barreto		
PTX-297	Dr. Barreto Survey Data Code Script (File name: script_ca_case.R) [BARRETO_000012]		Barreto		
PTX-298	H. Alpert, "Public Opinion Research as Science" Public Opinion Quarterly 20(3) (1956)		Barreto		
PTX-299	Andridge, Rebecca R. and Little, Roderick J., "A Review of Hot Deck Imputation for Survey Non- Response." International Statistical Review 78(1): 40-64 (2010) (https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3130338/)		Barreto		
PTX-300	Ball, John C., "The Reliability and Validity of Interview Data Obtained from 59 Narcotic Drug Addicts." American Journal of Sociology 72(6): 650-654 (1967)		Barreto		
PTX-301	Battaglia, Michael et al., "Tips and Tricks for Raking Survey Data (a.k.a. Sample Balancing)" Proceedings of the Survey Research Methods Section, American Statistical Association (2004)		Barreto		
PTX-302	Berk, Marc L., and Claudia L. Schur, "The Effect of Fear on Access to Care among Undocumented Latino Immigrants." Journal of immigrant health 3(3): 151-156 (2001)		Barreto		

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-303	Boudreux, Michel H. et al., "Measurement Error in Public Health Insurance Reporting in the American Community Survey: Evidence from Record Linkage." <i>Health services research</i> 50(6): 1973–1995 (2015)		Barreto		
PTX-304	Bradburn, Norman M., Seymour Sudman, Ed Blair, and Carol Stocking, "Question Threat and Response Bias." <i>Public Opinion Quarterly</i> 42(2): 221–234 (1978)		Barreto		
PTX-305	Brady, Henry, "Contributions of Survey Research to Political Science," <i>PS: Political Science & Politics</i> (2000)		Barreto		
PTX-306	Casey Foundation, "2018 Kids Count Data Book" (2018)		Barreto		
PTX-307	U.S. Census Bureau, Center for Survey Measurement (CSM), Memorandum for Associate Directorate for Research and Methodology (ADRM) re: Respondent Confidentiality Concerns (9/20/17) [10386DRB]	AR			
PTX-308	De La Puente, Manuel, "Using Ethnography to Explain Why People Are Missed or Erroneously Included by the Census: Evidence from Small Area Ethnographic Studies." <i>Center for Survey Methods Research, US Census Bureau</i> (1995)		Barreto		
PTX-309	De La Puente, Manuel, "Census 2000 Ethnographic Studies Final Report," <i>Census 2000 Topic Report Ethnographic Studies, US Census Bureau Statistical Research Division</i> (2004)		O'Muircheart aigh; Barreto		
PTX-310	DeMaio, Thomas, Nancy Mathiowetz, Jennifer Rothgeb, Mary Ellen Beach, Sharon Durant, "Protocol for Pretesting Demographic Surveys at the Census Bureau." <i>Report of the Pretesting Committee</i> (June 1993)		Barreto		
PTX-311	Erickson, Eugene P., and Teresa K. Defonso. 1993. "Guest Commentary: Beyond the Net Undercount: How to Measure Census Error." <i>Chance</i> 6(4): 38– 14		Barreto		
PTX-312	Federal Committee on Statistical Methodology, <i>Statistical Working Paper 17 – Survey Coverage</i> (1990)		Barreto		
PTX-313	Frost, Amanda, "Can the Government Deport Immigrants Using Information It Encouraged Them to Provide?," <i>Admin. L.R.</i> (2017)		Barreto		
PTX-314	Graubard, Barry and Edward Korn, "Survey inference for subpopulations," <i>American Journal of Epidemiology</i> 144(1) (1996)		Barreto		
PTX-315	Groen, Jeffrey A. 2012. "Sources of Error in Survey and Administrative Data: The Importance of Reporting Procedures." <i>Journal of Official Statistics (JOS)</i> 28(2).		Barreto		
PTX-316	Hunt, Shelby, Richard D. Sparkman, and James B. Wilcox, "The Pretest in Survey Research: Issues and Preliminary Findings." <i>Journal of Marketing Research</i> . 19(2) (1982)		Barreto		

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-317	Kalton, Graham, "Compensation for Missing Survey Data." University of Michigan Survey Research Center Research Report Series (1983)		Barreto		
PTX-318	Lee, Eun Sul and Ronald Forthofer, "Analyzing Complex Survey Data," Sage Publications (2006)		Barreto		
PTX-319	Link, Michael W. et al. 2006. "Address-Based versus Random-Digit-Dial Surveys: Comparison of Key Health and Risk Indicators." <i>American Journal of Epidemiology</i> 164(10): 1019–25.		Barreto		
PTX-320	Lohr, Sharon L. 1999. <i>Sampling: Design and Analysis</i> . New York, NY: Brooks/Cole.		Barreto		
PTX-321	Keeter, Scott et al. 2006. "Gauging the Impact of Growing Nonresponse on Estimates from a National RDD Telephone Survey," <i>Public Opinion Quarterly</i> . 70(5)		Barreto		
PTX-322	Krysan, Maria. 1998. "Privacy and the Expression of White Racial Attitudes: A Comparison across Three Contexts." <i>Public Opinion Quarterly</i> : 506–544.		Barreto		
PTX-323	Lajevardi, Nazita, and Kassra AR Oskooii. 2018. "Old-Fashioned Racism, Contemporary Islamophobia, and the Isolation of Muslim Americans in the Age of Trump." <i>Journal of Race, Ethnicity and Politics</i> 3(1): 112–152.		Barreto		
PTX-324	National Research Council, "The 2000 Census: Interim Assessment," National Academies Press (2018)		O'Muircheart aigh		
PTX-325	National Research Council, "The 2000 Census: Counting under Adversity," National Academies Press (2004)		O'Muircheart aigh		
PTX-326	Meyers, Mikelyn, "Respondent Confidentiality Concerns and Possible Effects on Response Rates and Data Quality for the 2020 Census." (Nov. 2, 2017) [COM_DIS00002481]		O'Muircheart aigh		
PTX-327	Montoya, Martin. 1992. "Ethnographic Evaluation of the Behavioral Causes of Undercount: Woodburn, Oregon." Ethnographic Evaluation of the 1990 Decennial Census Report #25. Prepared under Joint Statistical Agreement 90-06 with the University of Oregon. Bureau of the Census, Washington D.C.		Barreto		
PTX-328	Cruz Nichols, Vanessa, Alana MW LeBrón, and Francisco I. Pedraza. 2018. "Spillover Effects: Immigrant Policing and Government Skepticism in Matters of Health for Latinos." <i>Public Administration Review</i> 78(3): 432–443.		Barreto		
PTX-329	O'Hare, William, Yeris Mayol-Garcia, Elizabeth Wildsmith, and Alicia Torres "The Invisible Ones: How Latino Children Are Left Out of Our Nation's Census Count," (2016)		O'Muircheart aigh		

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-330	Oskoii, Kassra AR. 2016. "How Discrimination Impacts Sociopolitical Behavior: A Multidimensional Perspective." <i>Political Psychology</i> 37(5): 613–640.		Barreto		
PTX-331	Pedraza, Francisco I., and Maricruz Ariana Osorio. 2017. "Courted and Deported: The Salience of Immigration Issues and Avoidance of Police, Health Care, and Education Services among Latinos." <i>Aztlan: A Journal of Chicano Studies</i> 42(2): 249–266.		Barreto		
PTX-332	Rubin, Donald B. 1976. "Inference and Missing Data." <i>Biometrika</i> 63(3): 581–592.		Barreto		
PTX-333	Raines, Marvin D. 2001. "Gaining Cooperation from a Multi-Cultural Society of Respondents: A Review of the US Census Bureau's Efforts to Count the Newly Immigrated Population." <i>Statistical Journal of the United Nations Economic Commission for Europe</i> 18(2, 3): 217–226.		Barreto		
PTX-334	Rao, Krishna, "Discussion of 2018 End-to-End Census Test: Nonresponse Follow-up," <i>Census Scientific Advisory Committee</i> (Fall 2017 Meeting)		Barreto		
PTX-335	Sanchez, Gabriel R., and Barbara Gomez-Aguinaga. 2017. "Latino Rejection of the Trump Campaign." <i>Aztlan: A Journal of Chicano Studies</i> 42(2).		Barreto		
PTX-336	Stepick, Alex. 1992. "Ethnographic Evaluation of the 1990 Decennial Census Report Series." <i>Ethnographic Evaluation of the 1990 Decennial Census Report</i> #8. Prepared under Joint Statistical Agreement #90-08 with Florida International University. Bureau of the Census, Washington D.C.		Barreto		
PTX-337	Tourangeau, Roger, and Tom W. Smith. 1996. "Asking Sensitive Questions: The Impact of Data Collection Mode, Question Format, and Question Context." <i>The Public Opinion Quarterly</i> 60(2): 275–304.		Barreto		
PTX-338	Tourangeau, Roger, and Ting Yan. 2007. "Sensitive Questions in Surveys." <i>Psychological bulletin</i> 133(5): 859.		O'Muircheart aigh		
PTX-339	U. S. Government Accountability Office (GAO), Decennial Census: Lessons Learned from Locating and Counting Migrant and Seasonal Farm Workers. (GAO-03-605) (July 3, 2003)		Barreto		
PTX-340	van Teijlingen, Edwin R. and Vanora Hundley "The importance of pilot studies." <i>Social Research Update</i> . 35 (2001)		Barreto		
PTX-341	Velasco, Alfredo, "Ethnographic Evaluation of the Behavioral Causes of Undercount In The Community of Sherman Heights, San Diego, California." <i>Ethnographic Evaluation of the 1990 Decennial Census Report</i> #22. Prepared under Joint Statistical Agreement 89-42 with the Chicano Federation of San Diego County. Bureau of the Census (1992)		Barreto		

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-342	Wines, Michael, "Census Bureau's Own Expert Panel Rebukes Decision to Add Citizenship Question." N.Y. Times. (Mar. 30, 2018)		Barreto		
PTX-343	Freedman, David and Kenneth Wachter, "On the likelihood of improving the accuracy of the census through statistical adjustment," Science and Statistics (2003)		Barreto		
PTX-344	U.S. Census Bureau, Memorandum for Patrick Cantwell re 2010 Census Count Imputation Results (DSSD 2010 DECENTNIAL CENSUS MEMORANDUM SERIES #J-12) (6/7/11)		O'Muircheart aigh		
PTX-345	Press Release, Dep't of Commerce, Statement from U.S. Secretary of Commerce Wilbur Ross on the Release of President Trump's Immigration Priorities (Oct. 9, 2017)				
PTX-346	Testimony of Wilbur Ross, Secretary of Commerce, before the House Committee on Ways and Means, 115-FC09 (Mar. 22, 2018) "Department of Justice, as you know, initiated the request for the inclusion of the citizenship question"				
PTX-347	Congress Letter to Sec Ross (6/28/2018)				
PTX-348	Press Release, DOJ, Sessions Announces Appointment of James McHenry (Jan. 10, 2018)				
PTX-349	U.S. Census Bureau, Questions Planned for the 2020 Census and American Community Survey (Mar. 2018)				
PTX-350	Video, Excerpt of Secretary Ross Hearing Testimony, House Appropriations Committee, CJS Subcommittee, Hearing on F.Y. 2019 Department of Commerce Budget (Mar. 20, 2018) (Rep. Serrano)				
PTX-351	Video, Excerpt of Secretary Ross Hearing Testimony, House Ways & Means Committee, Hearing on Recent Trade Actions, Including Section 232 Determinations on Steel & Aluminum (Mar. 22, 2018) (Rep. Chu)				
PTX-352	Video, Excerpt of Secretary Ross Hearing Testimony, House Ways & Means Committee, Hearing on Recent Trade Actions, Including Section 232 Determinations on Steel & Aluminum (Mar. 22, 2018) (Rep. Meng)				
PTX-353	Video, Excerpt of Secretary Ross Hearing Testimony, Senate Appropriations Committee, CJS Subcommittee, Hearing on the F.Y. 2019 Funding Request for the Commerce Department (May 10, 2018) (Sen. Leahy)				
PTX-354	Kris Kobach, Exclusive—Kobach: Bring the Citizenship Question Back to the Census, Breitbart (Jan. 30, 2018)				
PTX-355	Marvin Raines, U.S. Census Bureau, "Gaining cooperation from a multi-cultural society of respondents: A review of the U.S. Census Bureau's efforts to count the newly immigrated population," Statistical Journal of the United Nations Economic Commission for Europe (2011)				

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-356	Census Bureau website page entitled: "American Community Survey When to Use 1-Year, 3-Year, or 5-Year Estimates"		Abowd		
PTX-357	Transcript of J. Gore's testimony before the House Oversight & Government Reform Committee (May 18, 2018), 2018 WLNR 15617193 (tr. dated May 21, 2018)				
PTX-358	Defendants' Supplemental Responses to Plaintiffs' First Set of Interrogatories				
PTX-359	Fort Meyers Map		Handley		
PTX-360	Table of DOJ Voting Rights Act Section 2 Redistricting Cases, https://www.justice.gov/crt/voting-section-litigation		Karlan; Handley		
PTX-361	Wines, Michael, Critics Say Questions About Citizenship Could Wreck Chances for an Accurate Census, New York Times (Jan. 2, 2018) (Referenced in D0J00028401)		Gore		
PTX-362	Email between Wilbur Ross and Earl Comstock, Re: Census Matter (Aug. 10, 2017) [AR 012476]	AR			
PTX-363	Email from Wendy Teramoto to Earl Comstock re: Calls with DOJ (9/16/2017) [AR 012755]	AR			
PTX-364	Draft Letter from Boyd to Congresswoman Carolyn Maloney [DOJ00020043]		Gore		
PTX-365	Memorandum Opinion for the General Counsel, Dept of Commerce, "Census Confidentiality and the PATRIOT Act" (1/2/2010)		Gore		
PTX-366	Executive Order Establishing Presidential Advisory Commission on Election Integrity				
PTX-367	Press Release Announcing Kris Kobach as Vice Chair of Presidential Advisory Commission on Election Integrity				
PTX-368	Email Correspondence between Department of Commerce and Nielsen Data Scientist Christine Pierce				
PTX-369	Intentionally left blank				
PTX-370	Memo from E. Comstock to W. Ross re: Census Discussions with DoJ (9/8/2017) [AR 012756]	AR			
PTX-371	Committee on National Statistics, Letter Report on the 2020 Census (8/7/2018)				
PTX-372	Email from B. Aguinaga to Gore, P. Escalona re: AG Prep for CJS Approps Hearings (4/6/2018) [DOJ_00032071]		Gore		
PTX-373	Census Citizenship Question Memo, DOJ Civil Rights Division [DOJ_00032074]		Gore		

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-374	Email between David Langdon, Earl Comstock, Ellen Herbst, subject: Counting of Illegal Immigrants (5/24/17) [AR 0012465]	AR			
PTX-375	Email between David Langdon, Earl Comstock, Ellen Herbst, subject: RE Counting of Illegal Immigrants (5/24/17) [COM_DIS00020862]	AR			
PTX-376	Email between David Langdon and Sahra Park-Su; subject: FWD: Alert: Commerce Secretary Suggested Citizenship Question to Justice Dept., According to Memo, Contradicting His Congressional (6/22/18) [COM_DIS00015108]	AR			
PTX-377	Email between David Langdon, Peter Davidson, James Uthmeier, Aaron Willard, Sahra Park-Su, subject: Re: Questions Re: draft census memo (1/30/18) [AR 0001976]	AR			
PTX-378	Email between John Abowd, Burton Reist, Enrique Lamas, copying Victoria Velkoff, Albert Fontenot; subject: Re: I need the answers in a response to Earl before 10:30 (1/31/18) [AR 0005212]	AR			
PTX-379	Email between Sahra Park-Su and Jacque Mason, Mike Platt, Brian Lenihan, Israel Hernandez, copying Aaron Willard, Karen Kelley, Cameron Dorsey; subject: RE: Follow-up to today's Meeting (9/1/17) [AR 0001378]	AR			
PTX-380	House Oversight and Government Reform Hearing QFRs to Secretary Wilbur Ross Hearing Date October 12, 2017 [COM_DIS00014166]	AR			
PTX-381	Email between Earl Comstock to Wilbur Ross, Wendy Teramoto, copying Karen Kelley; subject: FW: Answers to Secretary Ross's Questions (10/29/17) [AR 0002446]	AR			
PTX-382	Email between Sahra Park-Su, Peter Davidson, copying Catherine Keller, James Uthmeier, Karen Kelley, Israel Hernandez, Earl Comstock, Brian Lenihan, Aaron Willard, Ron Jarmin, Enrique Lamas; subject: Re: Question from Secretary [AR 0003691]	AR			
PTX-383	Email between David Langdon and Sahra Park-Su; subject: FWD: Alert: Commerce Secretary Suggested Citizenship Question to Justice Dept., According to Memo, Contradicting His Congressional (6/22/18) [COM_DIS00013892]	AR			
PTX-384	Questions on the Jan 19 Draft Census Memo on the DOJ Citizenship Question Reinstatement Request [AR 0001616]	AR			
PTX-385	Email between Jacque Mason, Alan Lang, copying Mike Platt, Brian Lenihan, Aaron Willard, Barry Robinson, James Uthmeier, Catherine Keller, Sahra Park-Su, subject: Here are the presentations from the PMR - please get ones missing and the contract one to Ellen (1/31/18) [AR 0001964]	AR			

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-386	Email between Sahra Park-Su, Christa Jones, copying Ron Jarmen, Enrique Lamas, Karen Kelley, Michael Walsh, Brian Lenihan, subject: Draft Response to Question (2/24/18) [AR 0013023]	AR			
PTX-387	Email between Sahra Park-Su, [redacted], copying Ron Jarmen, Enrique Lamas, Christa Jones, Michael Walsh, Brian Lenihan; subject re: Draft Response to Question (2/24/18) [AR 0003403]	AR			
PTX-388	Email between Ron Jarmen, Christ Jones, Enrique Lamas, Karen Kelley, Sahra Park-Su; subject: option D (2/23/18) [AR 0002935]	AR			
PTX-389	Calendar Invitation between Chelsey Neuhaus, Joseph Semsar, Karen Kelley, ExecSecBriefingBook, Michael Walsh, James Uthmeier, Mike Platt, Sahra Park-Su; subject: Stakeholder Calls (3/23/18) [AR 0001638]	AR			
PTX-390	Certification of Complete Administrative Record (6/8/18)	AR			
PTX-391	Email between Sahra Park-Su and Michael Walsh, subject: Narrative (5/15/18) [COM_DIS00014052]		Park-Su		
PTX-392	Letter from Wilbur Ross, Sec. of Commerce, to Catherine E Lhamon, Chair, U.S. Comm'n on Civil Rights (7/5/18)		Park-Su		
PTX-393	2020 Census Detailed Operational Plan for: 18. Nonresponse Followup Operation (NRFU) Issued April 16, 2018 Version: V1.0 Final		O'Muircheart aigh		
PTX-394	March 16, 2017 OIG Report (Final Report No. OIG-17-020-I) (U.S. Census Bureau, 2020 Census: 2016 Census Test Indicates the Current Life-Cycle Cost Estimate is Incomplete and Underestimates Nonresponse Followup Costs)		O'Muircheart aigh		
PTX-395	U.S. Government Accountability Office (GAO), 2010 Census: Data Collection Operations Were Generally Completed as Planned, but Long-standing Challenges Suggest Need for Fundamental Reforms (GAO-11-193) (December 2010)				
PTX-396	Administrative Records Modeling Update for the Census Scientific Advisory Committee Spring 2017				
PTX-397	Emails between Earl Comstock, David Langdon, and Ellen Herbst Re: Counting of Illegal Immigrants [COM_DIS00016563 revised]	AR			
PTX-398	Full Calendar Entry for Meeting with Rep. Mark Meadows [COMM-17-0501-B-001329 - 001330]				
PTX-399	Briefing Memorandum for Secretary Ross from Mike Platt for 3.23.18 Decennial Census Stakeholder Call (3/22/18) [AR 0012466]	AR			

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-400	Email between Michael Walsh, Wendy Teramoto, James Rockas, Karen Kelley, Earl Comstock, subject Re: Updated with his further edits below - For your approval (3/16/18) [AR 0012467]	AR			
PTX-401	Email between Christa Jones, Earl Comstock, Karen Kelley, subject: Re: Seeking Comment - citizenship question (2/28/18) [AR 0012470]	AR			
PTX-402	Email between Earl Comstock, David Langdon, James Uthmeier, Aaron Willard, Sahra Park-Su, Peter Davidson, subject: Re: questions re: draft census memo (1/30/18) [AR 0012477]	AR			
PTX-403	Draft Memo from Abowd to Ross RE: Technical Review of the Department of Justice Request to Add Citizenship Question to the 2020 Census (1/19/18) [AR 0012480]	AR			
PTX-404	Email between Karen Kelley, Earl Comstock, Enrique Lamas, Ron Jarmin, Aaron Willard, James Uthmeier, Peter Davidson, subject: Re: Questions on the January 19 Alternatives Memo (1/30/18) [AR 0012489]	AR			
PTX-405	Summary of Alternatives & Detailed Analysis of Alternatives by John Abowd [AR 0012493]	AR			
PTX-406	Memo from Abowd to Ross RE: Technical Review of the Department of Justice Request to Add Citizenship Question to the 2020 Census (1/19/18) [AR 0012501]	AR			
PTX-407	Email between Karen Kelley, Sahra Park-Su, Aaron Willard, Ron Jarmin, Enrique Lamas, Jacque Mason, Mike Platt, Burton Reist, Joanne Crane, Israel Hernandez, Earl Comstock, Wendy Teramoto, subject: SWLR Questions (10/28/17) [AR 0012506]	AR			
PTX-408	Secretary HSGAC Hearing Q A (10/23/17) [AR 0012508]	AR			
PTX-409	Email between Earl Comstock, Wilbur Ross, Wendy Teramoto, Eric Branstad, subject: FW: Census Testimony for Wed. May 3 House CJS Hearing (5/1/17) [AR 0012526]	AR			
PTX-410	Prepared Statement of John H. Thompson Director U.S. Census Bureau Before the Appropriations Committee Subcommittee on Commerce, Justice, Science and Related Agencies, House (5/3/17) [AR 0012529]	AR			
PTX-411	Email between Sahra Park-Su, Karen Kelley, Aaron Willard, Kevin Quinley, subject "Re: SHORT FUSE: Fw: Census / immigration status story (Deadline: Today 2:45 pm)" (12/29/17) [COM_DIS00015678]	AR			
PTX-412	Email from John Zadrozny to James Uthmeier, subject "RE: Hill/DOJ pushing for citizenship question on census forms: report" (1/31/18) [COM_DIS00015698]	AR			
PTX-413	Email between James Uthmeier, John Zadrozny, subject: Re: Hill/DOJ pushing for citizenship question on census forms: report (12/31/17) [COM_DIS00015704]	AR			

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-414	Email between John Zadrozny and [redacted] subject: Re: Hill/DOJ pushing for citizenship question on census forms: report (12/31/17) [COM_DIS00015707]	AR			
PTX-415	Email between Peter Davidson and James Uthmeier, subject: Re: Short Fuse: FW: Census / immigration status story (Deadline: Today 2:45 pm) (12/31/17) [COM_DIS00015711]	AR			
PTX-416	Email between Karen Kelley, Israel Hernandez, Sahra Park-Su, subject: re: Census Matter Follow- Up (9/11/17) [COM_DIS00016564]	AR			
PTX-417	Email between Alexander Brooke, Israel Hernandez, Wendy Teramoto, subject: re: Follow up on our phone call (7/24/17) [COM_DIS00016571]	AR			
PTX-418	Email between Kris Kobach, Alexander Brooke, Israel Hernandez, subject: re: Follow up on our phone call (7/24/17) [COM_DIS00016575]	AR			
PTX-419	Email between Kris Kobach, Alexander Brooke, Israel Hernandez, subject: re: Follow up on our phone call (7/24/17) [COM_DIS00016577]	AR			
PTX-420	Email from James Uthmeier and Leonard Shambon, subject: current version (9/15/17) [COM_DIS00017126]	AR			
PTX-421	Draft Chronological History (8/21/17) [COM_DIS00017127]	AR			
PTX-422	Email between James Uthmeier and Mark Neuman, subject re: Questions re Census (9/13/17) [COM_DIS00017396]	AR			
PTX-423	Email between James Uthmeier and Sahra Park-Su, subject: Re: Census Matter Follow-Up (9/11/17) [COM_DIS00017398]	AR			
PTX-424	Email between James Uthmeier and Peter Davidson, subject: Re: Census Matter Follow-Up (9/9/17) [COM_DIS00017402]	AR			
PTX-425	Email between Earl Comstock, Peter Davidson, James Uthmeier, Wendy Teramoto, subject: Re: Census Matter Follow-Up (9/7/17) [COM_DIS00017405]	AR			
PTX-426	Email between Peter Davidson, James Uthmeier, Earl Comstock, Wendy Teramoto, subject: Re: Census Matter Follow-Up (9/7/17) [COM_DIS00017407]	AR			
PTX-427	Email between Wendy Teramoto, Earl Comstock, Peter Davidson, subject: Re: Census Matter Follow-Up (9/8/17) [COM_DIS00017468]	AR			
PTX-428	Email to Earl Comstock, subject: Re: Census Matter Follow-Up (9/7/17) [COM_DIS00017499]	AR			
PTX-429	Email between Wendy Teramoto, Earl Comstock, Peter Davidson, James Uthmeier, subject: Re: Census Matter Follow-Up (9/8/17) [COM_DIS00017554]	AR			

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-430	Email between James Uthmeier and Earl Comstock, subject: Re: Census Matter Follow-Up (9/7/17) [COM_DIS00017585]	AR			
PTX-431	Email between Macie Leach, Wendy Teramoto and Earl Comstock, subject: FW: SHORT FUSE: Fw: Census / Immigration status story (Deadline: Today 2:45 pm) (12/29/17) [COM_DIS00018193]	AR			
PTX-432	Email between Macie Leach, Wendy Teramoto and Earl Comstock, subject: FW: SHORT FUSE: Fw: Census / Immigration status story (Deadline: Today 2:45 pm) (12/29/17) [COM_DIS00018196]	AR			
PTX-433	Email between Macie Leach, Wendy Teramoto and Earl Comstock, subject: FW: SHORT FUSE: Fw: Census / Immigration status story (Deadline: Today 2:45 pm) (12/29/17) [COM_DIS00018200]	AR			
PTX-434	Email between Earl Comstock, James Rockas, Sahra Park-Su, subject: Re: 10-12 WAPO - 7am - Republicans could lose congressional seats if Census 2020 goes wrong (10/12/17) [COM_DIS00018535]				
PTX-435	Email between Earl Comstock and Wendy Teramoto, subject: Fwd: Calls with DOJ (9/19/17) [COM_DIS00018543]	AR			
PTX-436	Email between Earl Comstock, Peter Davidson, James Uthmeier, Wendy Teramoto, subject: Re: Census Matter Follow-Up (9/8/17) [COM_DIS00018546]	AR			
PTX-437	Email between Earl Comstock and James Uthmeier, subject: Re: Census paper (8/11/17) [COM_DIS00018588]	AR			
PTX-438	Email between Earl Comstock and James Uthmeier, subject: Re: Census paper (8/11/17) [COM_DIS00018592]	AR			
PTX-439	Email between Macie Leach, Wendy Teramoto and Earl Comstock, subject: FW: SHORT FUSE: Fw: Census / Immigration status story (Deadline: Today 2:45 pm) (12/29/17) [COM_DIS00018772]	AR			
PTX-440	Email between Wendy Teramoto and Peter Davidson, subject: FW: Census Matter Follow-Up (9/7/17) [COM_DIS00018873]	AR			
PTX-441	Email between Wendy Teramoto and Kris Kobach, subject: Re: Follow up on our phone call (7/24/17) [COM_DIS00018875]	AR			
PTX-442	Email between Karen Kelley, Israel Hernandez, subject: Re: Census Matter Follow-Up (9/11/17) [COM_DIS00019464]	AR			
PTX-443	Email between James Uthmeier and [Sahra Park- Su], subject: Re: Census Matter Follow-Up (9/11/17) [COM_DIS00019468]	AR			
PTX-444	Email between Karen Kelley, Israel Hernandez, Sahra Park-Su, subject: Re: Census Matter Follow- Up (9/11/17) [COM_DIS00019687]	AR			

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-445	Email between James Uthmeier and Sahra Park-Su, subject: Re: Census Matter Follow-Up (9/11/17) [COM_DIS00019691]	AR			
PTX-446	Email between David Langdon, Burton Reist, Melissa Creech, James Dinwiddie, Lisa Blumerman, subject "Re: Requested Information - Legal Review All Residents..." (5/24/17) [COM_DIS00019987]	AR			
PTX-447	Email between Melissa Creech, Burton Reist, David Langdon, subject: Re: immigrant question - pt 2 (5/24/17) [COM_DIS00020024]	AR			
PTX-448	Email between Reist Burton, David Langdon, Melissa Creech, subject: Fw: immigrant questions - pt 2 (5/24/17) [COM_DIS00020028]	AR			
PTX-449	Memo from Robert B. Ellert to Robert Brumley, Counting Illegal Aliens (4/15/1988) [COM_DIS00020031]	AR			
PTX-450	Memo from Robert B. Ellert to Robert Brumley, DoJ/OLP Memorandum on Counting Illegal Aliens in the 1990 Census (4/18/1988) [COM_DIS00020058]	AR			
PTX-451	Letter from Carol T. Crawford, Assistant Attorney General, to Senator Bingaman (9/22/89) [COM_DIS00020062]	AR			
PTX-452	Email from Earl Comstock, Ellen Herbst, David Langdon, subject: RE: Counting of illegal immigrants (5/24/17) [COM_DIS00020864]	AR			
PTX-453	Email from John Gore to Ben Aguinaga, Re: QFR responses (6/14/18) [DOJ00039748]		Gore		
PTX-454	Email between Arthur Gary and John Gore, Re: 2020 census questions (9/11/17) [DOJ00129985]		Gore		
PTX-455	Draft letter from DOJ to John Thompson, Dir. Bureau of Census, Requesting the Reinstatement of a Citizenship Question to the 2020 Census [DOJ00129991]				
PTX-456	Schedule for Sec. Ross, 2018, Updated Redacted				
PTX-457	Schedule for Secretary Ross's Conference Room, 2018, Updated Redacted				
PTX-458	Schedule for Secretary Ross's Conference Room, 2017, FOIA Redacted				
PTX-459	U.S. Census Bureau (June 8, 2018), Proposed Information Collection, 2020 Census. Federal Register Notice. Vol. 83 (111), p. 26649.		O'Muircheart aigh		
PTX-460	Barreto Supplemental Report		Barreto		
PTX-461	Kendra Bischoff and Sean F. Reardon, Residential Segregation by Income, 1970-2009 (Oct. 2013)		Barreto		
PTX-462	Solomon Greene, Margery Austin Turner, and Ruth Gourevitch, Racial Segregation and Neighborhood Disparities (Aug 2017)		Barreto		
PTX-463	Paul A. Jargowsky, The Architecture of Segregation (Aug. 2015)		Barreto		

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-464	Screenshot of Latino Non-Responding Units and Imputed Household Size		Barreto		
PTX-465	Slide Deck on 2020 Census Barriers, Attitudes, and Motivators Study (CBAMS) Survey and Focus Groups: Key Findings for Creative Strategy (Oct. 31, 2018)		Abowd		
PTX-466	NAC Official Agenda for November 1-2, 2018, Meeting				
PTX-467	2010 Decennial Census Questionnaire		O'Muircheart aigh		
PTX-468	Table titled “Estimated net undercount after imputation in 2020 with citizenship question (Q1 to Q2)” from Barreto supplemental report		Barreto		
PTX-469	Table titled “Estimated net undercount after imputation in 2020 with citizenship question (Q1 to Q8)” from Barreto supplemental report		Barreto		
PTX-470	Statement from Commerce Department spokesperson Kevin Manning regarding Dr. Abowd’s trial testimony, Nov. 13, 2018				
PTX-471	Yahoo Finance, Wilbur Ross addresses controversy over citizenship question on census, Nov. 13, 2018		O'Muircheart aigh		
PTX-472	Video Excerpt, Yahoo Finance Interview of Secretary Ross regarding citizenship question, Nov. 13, 2018				
PTX-473	Testimony of Dr. John Abowd, Trial Transcript (November 13, 2018) State of New York, et al. v. United States Department of Commerce, et al. No. 18-cv-2921; New York Immigration Coalition, et al. v. United States Department of Commerce, et al., No. 18-cv-5025		Abowd		
PTX-474	Testimony of Dr. John Abowd, Trial Transcript (November 14, 2018) State of New York, et al. v. United States Department of Commerce, et al. No. 18-cv-2921; New York Immigration Coalition, et al. v. United States Department of Commerce, et al., No. 18-cv-5025		Abowd		
PTX-475	Testimony of Dr. John Abowd, Trial Transcript (November 15, 2018) State of New York, et al. v. United States Department of Commerce, et al. No. 18-cv-2921; New York Immigration Coalition, et al. v. United States Department of Commerce, et al., No. 18-cv-5025		Abowd		
PTX-476	Email from Abowd to Battle and Whitehorn re: Time and content sensitive discussion (12/18/17) [AR 9339]	AR			
PTX-477	Emails with Abowd, Prewitt, and reporter Hansen (2/6/18) [AR 6237]	AR			
PTX-478	2020 Census Program Memorandum Series 2016.05, From Lisa Blummerman re Planned Development and Submission of Subjects Planned for the 2020 Census (4/29/16)		Abowd		
PTX-479	Talking Points Memo (No Date) [AR 3890]	AR			

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-480	Email from Jarmin to Abowd cc Lamas re: Memorandum and White Paper on Improving PL 94 with Citizenship Data (12/22/17) [AR 8651]	AR			
PTX-481	U.S. Census Bureau, Press Release: U.S. Census Bureau Demonstrates Readiness for the 2020 Census (September 5, 2018)				
PTX-482	U.S. Government Accountability Office (GAO), 2020 Census Additional Steps Needed to Finalize Readiness for Peak Field Operations (GAO-19-140) (December 2018)		O'Muircheart aigh		
PTX-483	Curriculum Vitae of Matthew Barreto		Barreto		
PTX-484	Intentionally left blank				
PTX-485	Intentionally left blank				
PTX-486	Intentionally left blank				
PTX-487	Intentionally left blank				
PTX-488	Intentionally left blank				
PTX-489	Intentionally left blank				
PTX-490	Intentionally left blank				
PTX-491	Intentionally left blank				
PTX-492	Intentionally left blank				
PTX-493	Kapteyn, Arie, and Jelmer Y. Ypma. 2007. "Measurement Error and Misclassification: A Comparison of Survey and Administrative Data." <i>Journal of Labor Economics</i> 25(3): 513–551.		Barreto		
PTX-494	Mulry, Mary H. et al. 2006. "Evaluation of Estimates of Census Duplication Using Administrative Records Information." <i>Journal of official statistics</i> 22(4): 655.		Barreto		
PTX-495	Intentionally left blank				
PTX-496	Intentionally left blank				
PTX-497	Terry, Rodney L. et al. 2017. "Exploring Inconsistent Counts of Racial/Ethnic Minorities in a 2010 Census Ethnographic Evaluation." <i>Bulletin of Sociological Methodology/Bulletin de Méthodologie Sociologique</i> 135(1): 32–49.		Barreto		
PTX-498	Kevin A. Escudero and Marisol Becerra, The Last Chance to Get It Right: Implications of the 2018 Test of the Census for Latinos and the General Public, National Association of Latino Elected and Appointed Officials (NALEO) (December 2018).		O'Muircheart aigh; Barreto		
PTX-499	Expert Report of Matthew Barreto		O'Muircheart aigh; Barreto		
PTX-500	Deposition Transcript of John Abowd, Census Bureau 30(b)(6) Witness (8/29/18)		O'Muircheart aigh; Abowd		

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-501	Deposition Transcript of John Abowd (8/15/18)		O'Muircheart aigh; Abowd		
PTX-502	2018 LAO Report, March 8, 2018 [CAL000001-CAL000005]				
PTX-503	Executive Order B-49-18 (4/13/18) [CAL000006-CAL000007]				
PTX-504	California State Budget 2018-2019 [CAL000008-CAL000151]				
PTX-505	California State Budget 2018-19 line items [CAL000152-CAL000154]				
PTX-506	The 2018-19 Budget: California Spending Plan, October 2, 2018 LAO Report [CAL000155-CAL000234]				
PTX-507	Progress Report on the Census Infrastructure, October 1, 2018 California Complete Count Census 2020 report to the Legislature [CAL000235-CAL000265]				
PTX-508	Initial Report to the Office of Governor Edmund G. Brown Jr., Counting All Californians in the 2020 Census, October 2, 2018 Census 2020 California Complete Count Committee report [CAL000266-CAL000299]				
PTX-509	Senate Budget and Fiscal Review Subcommittee Agenda, March 15, 2018 [CAL000300-CAL000323]				
PTX-510	Assembly Budget Subcommittee Agenda, April 24, 2018 [CAL000324-CAL000381]				
PTX-511	Letter to Governor Brown, Senate President Pro Tem Atkins, and Assembly Speaker Rendoon from the Census Policy Advocacy Network re: Requesting \$107.6 Million in Funding for 2020 CENSUS Outreach for Community-Based Organizations (CBOs) in the 2018-19 Budget [CAL000382-CAL000387]				
PTX-512	Senate Committee on Budget and Fiscal Review Agenda, May 22, 2018 [CAL000388-CAL000413]				
PTX-513	Assembly Budget Subcommittee Agenda, May 24, 2018 [CAL000414-CAL000461]				
PTX-514	2018-19 Legislative Budget Conference Committee, June 6, 2018 Second Pass Agenda [CAL000462-CAL000544]				

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-515	2018-19 Legislative Budget Conference Committee, June 8, 2018 Close Out Agenda [CAL000545-CAL000773]				
PTX-516	Letter to Senator Mitchell and Assembly Member Ting from Donna Seitz and Marth Guerrero re: GOVERNOR'S BUDGET PROPOSAL RELATING TO THE 2020 CENSUS RELATED ACTIVITIES - SUPPORT WITH INCREASED FUNDING [CAL000774-CAL000782]				
PTX-517	Transcript of the April 24, 2018 California Assembly Budget Subcommittee hearing, available at https://www.assembly.ca.gov/media/assembly-budget-subcommittee-4-state-administration-20180424/video				
PTX-518	Video of the April 24, 2018 California Assembly Budget Subcommittee hearing at https://www.assembly.ca.gov/media/assembly-budget-subcommittee-4-state-administration-20180424/video				
PTX-519	Joint Stipulations in State of New York, et al. v. U.S. Dep't of Commerce, et al., No. 18-cv-2921 (JMF), ECF No. 480				
PTX-520	Additional Supplemental AR (COM_DIS00016562, COM_DIS00017501, COM_DIS00017409, COM_DIS00017410, COM_DIS00017618, COM_DIS00017619, COM_DIS00017620)	AR			
PTX-521	Defendants' Objections to Plaintiffs' First Request for Documents (No date)				
PTX-522	Defendants' Objections to Plaintiffs' First Set of Request for Expedited Production of Documents to Defendants United States Census Bureau and Ron Jarmin (8/13/18)				
PTX-523	Defendants' Response to CA Plaintiffs' Request for Production of Documents to U.S. Census Bureau, Set One (8/24/18)				
PTX-524	Defendants' Response to CA Plaintiffs' Request for Production of Documents to U.S. Department of Commere, Set One (8/24/18)				
PTX-525	Defendants' Response to CA Plaintiffs' Request for Production of Documents to Dr. Ron S. Jarmin, Set One (8/24/18)				
PTX-526	Defendants' Response to CA Plaintiffs' Request for Production of Documents to Wilbur L. Ross, Jr., Set One (8/24/18)				
PTX-527	Defendants' Response to San Jose Plaintiffs' First Set of Requests for Production of Documents (8/24/18)				
PTX-528	Intentionally left blank				
PTX-529	Intentionally left blank				

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-530	Expert Report of Bernard L. Fraga		Fraga		
PTX-531	Supplemental Report of Bernard L. Fraga		Fraga		
PTX-532	Errata to Expert Report of Bernard L. Fraga		Fraga		
PTX-533	Curriculum Vitae of Bernard L. Fraga		Fraga		
PTX-534	Intentionally left blank				
PTX-535	Intentionally left blank				
PTX-536	Intentionally left blank				
PTX-537	U.S. Census Bureau, Methodology for the Intercensal Population and Housing Unit Estimates: 2000 to 2010 (Revised October 2012), available at: https://www2.census.gov/programs-surveys/popest/technical-documentation/methodology/intercensal/2000-2010-intercensal-estimates-methodology.pdf		Fraga		
PTX-538	Intentionally left blank				
PTX-539	U.S. Census Bureau, 2020 Census Detailed Operational Plan for: 18. Nonresponse Followup Operation (NRFU)		Fraga		
PTX-540	U.S. Census Bureau, American Community Survey Public Use Microdata Sample (PUMS) Documentation, available at: https://www.census.gov/programs-surveys/acs/technical-documentation/pums.html		Fraga		
PTX-541	U.S. Census Bureau, Congressional Apportionment, Computing Apportionment, available at: https://www.census.gov/population/apportionment/about/computing.html		Fraga		
PTX-542	Defense Manpower Requirements Report, Fiscal Year 2011. February 2011.		Fraga		
PTX-543	Defense Manpower Requirements Report, Fiscal Year 2018.		Fraga		
PTX-544	00pvalues.txt [FRAGA_00001]		Fraga		
PTX-545	90pvalues.txt [FRAGA_00002]		Fraga		
PTX-546	1970a_us1-03.pdf [FRAGA_00003-FRAGA_00033]		Fraga		
PTX-547	1970a_v1pAs1-01.pdf [FRAGA_00034-FRAGA_00065]		Fraga		
PTX-548	2000PHC3TableA.pdf [FRAGA_00066]		Fraga		
PTX-549	PUMSDataDict16.pdf [FRAGA_00067-FRAGA_00212]		Fraga		
PTX-550	sc-est2007-alldata6.pdf [FRAGA_00213-FRAGA_00214]		Fraga		
PTX-551	sc-est2017-alldata6.pdf [FRAGA_00215-FRAGA_00216]		Fraga		
PTX-552	2010CensusOverseasCounts.xlsx [FRAGA_00217]		Fraga		
PTX-553	2016 ACS PUMS 1-Year.txt [FRAGA_00218]		Fraga		
PTX-554	ApportionmentPopulation2010.xlsx [FRAGA_00219]		Fraga		
PTX-555	PriorityValues2010.xls [FRAGA_00220]		Fraga		

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-556	sc-est2017-alldata6.csv [FRAGA_00221]		Fraga		
PTX-557	tab01.xls [FRAGA_00222]		Fraga		
PTX-558	tab03.xls [FRAGA_00223]		Fraga		
PTX-559	sc-est2007-alldata6.csv [FRAGA_00224]		Fraga		
PTX-560	FRAGA_00225_.Rapp.history [FRAGA_00225]		Fraga		
PTX-561	FRAGA_00226_Apportion_Function.R [FRAGA_00226]		Fraga		
PTX-562	FRAGA_00227_Fraga_BaselineProjection.csv [FRAGA_00227]		Fraga		
PTX-563	FRAGA_00228_LongScript_Baseline.R [FRAGA_00228]		Fraga		
PTX-564	FRAGA_00229_LongScript_Scenario1.R [FRAGA_00229]		Fraga		
PTX-565	FRAGA_00230_LongScript_Scenario2.R [FRAGA_00230]		Fraga		
PTX-566	FRAGA_00231_LongScript_Scenario3.R [FRAGA_00231]		Fraga		
PTX-567	FRAGA_00232_LongScript_Scenario4.R [FRAGA_00232]		Fraga		
PTX-568	FRAGA_00233_NonCitizenHouse_Proportions.csv [FRAGA_00233]		Fraga		
PTX-569	FRAGA_00234_PUMS Calculations.R [FRAGA_00234]		Fraga		
PTX-570	FRAGA_00235_RaceNativity_Proportions.csv [FRAGA_00235]		Fraga		
PTX-571	FRAGA_00236_ResponseRates_Scenario1.csv [FRAGA_00236]		Fraga		
PTX-572	FRAGA_00237_ResponseRates_Scenario2_NRFU.csv [FRAGA_00237]		Fraga		
PTX-573	FRAGA_00238_ResponseRates_Scenario3.csv [FRAGA_00238]		Fraga		
PTX-574	FRAGA_00239_ResponseRates_Scenario4_NRFU.csv [FRAGA_00239]		Fraga		
PTX-575	FRAGA_00240_Seats_80-10.csv [FRAGA_00240]		Fraga		
PTX-576	FRAGA_00241_State Names Merge Dictionary.csv [FRAGA_00241]		Fraga		
PTX-577	FRAGA_00242_Table1.R [FRAGA_00242]		Fraga		
PTX-578	FRAGA_00243_Table2.R [FRAGA_00243]		Fraga		
PTX-579	FRAGA_00244_Table3.R [FRAGA00244]		Fraga		
PTX-580	FRAGA_00245_Table456.R [FRAGA00245]		Fraga		
PTX-581	FRAGA_00246_PC80-1-A1.pdf [FRAGA00246-FRAGA00561]		Fraga		
PTX-582	Fontenot, Albert E., Jr. 2020 Census Program Memorandum Series: 2018.10, April 16, 2018. (cited in Fraga's report/trial decl. – available at https://www2.census.gov/programs-surveys/decennial/2020/program-management/memo-series/2020-memo-2018_10.pdf)		Fraga		

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-583	U.S. Census Bureau, Population and Housing Unit Estimates, Frequently Asked Questions, available at: http://www.census.gov/programs-surveys/popest/about/faq.html		Fraga		
PTX-584	Emails between John Gore, Ben Aguinaga, Devin O'Malley, Subject: "Re: REVIEW: Statement in Response to Citizenship Question on Census" (Jan. 2, 2018) [DOJ_00039736]		Gore		
PTX-585	Transcript of John Gore's testimony before the House Oversight & Government Reform Committee (May 18, 2018) (2018 WLNR 15617193) (tr. dated May 21, 2018)		Gore		
PTX-586	Email chain, Danielle Cutrona to John Gore cc Wendy Teramoto re "Call," (9/16/17) [AR 2657]	AR			
PTX-587	Email from Camille Legore-Traore to John Gore re: phone message (9/22/17)		Gore		
PTX-588	Email from John Gore to Chris Herren re "Confidential & Close Hold: Draft Letter" (11/1/17)		Gore		
PTX-589	Email from Bethany Pickett to John Gore re: Letter (11/3/17)		Gore		
PTX-590	Email from Robert Troster to John Gore and Rachael Tucker re: Census letter (11/30/17)		Gore		
PTX-591	Email from John Gore to Arthur Gary re: RE: Close Hold: Draft Letter (11/30/17)		Gore		
PTX-592	Email from John Gore to Arthur Gary re: Close Hold: Draft Letter (12/8/17)		Gore		
PTX-593	Email Chain between R. Jarmin and B. Robinson, et al., Subject: "Fwd: DOJ" (Feb. 15, 2018)		Gore		
PTX-594	4th DOJ Privilege Log		Gore		
PTX-595	Emails between Ben Aguinaga and John Gore, Subject: "FW: Updated census letter - FYI" (June 13, 2018)		Gore		
PTX-596	Draft Responses to Questions for the Record, Mr. John M. Gore, Submitted June 11, 2018, to The Honorable Jimmy Gomez, Committee on Oversight and Government Reform (June 11 2018)		Gore		
PTX-597	Email from Chris Herren to John Gore, Subject: "RE: FYI re article" (Jan. 3, 2018) [DOJ00028401]		Gore		
PTX-598	Email from Arthur Gary to Sarah Flores, et al., Subject: "FW: Letter in Response to Census Bureau Letter Re: Citizenship on 2020 Census" (Jan. 30, 2018)		Gore		
PTX-599	Email from Ben Aguinaga to John Gore, Subject: "FW: Commerce Edits RE: [RD-115-232] (OLA WF 117394) Oversight and Government Reform Hearing on May 8, 2018 -- Gore Opening Statement" (May 16, 2018)		Gore		
PTX-600	Email from Jay Town to Arthur Gary and John Gore, Subject: "RE: Census 'Usual Residence' Issue" (June 11, 2018) [DOJ00014895]		Gore		

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-601	Email from John Gore to Devin O'Malley, Subject: "Re: Some Additional Background on Citizenship Question" (March 28, 2018)		Gore		
PTX-602	Email from Chris Herren to John Gore, Subject: "RE: Consolidated & Close Hold: Draft Letter" (Nov. 3, 2017)		Gore		
PTX-603	Email from John Gore to Chris Herren, Subject: "RE: Censis Citizenship Question Litigation" (May 2, 2018) [DOJ 00028354]		Gore		
PTX-604	Expert Report and Declaration of Stuart D. Gurea, Ph.D. (State of CA v. Ross; City of San Jose v. Ross, October 3, 2018)		Gurea		
PTX-605	Expert Report and Declaration of Stuart D. Gurea, Ph.D. (Kravitz v. Commerce; La Union Del Pueblo Entero v. Ross, October 19, 2018)		Gurea		
PTX-606	Expert Report and Declaration of Nancy A. Mathiowetz, Ph.D. (Robyn Kravitz v. Commerce; La Union Del Pueblo Entero v. Ross)		O'Muircheart aigh		
PTX-607	Outline of Principles of Impact Evaluation		Gurea		
PTX-608	Expert Report of Hermann Habermann		Habermann		
PTX-609	Errata to Expert Report of Hermann Habermann		Habermann		
PTX-610	Curriculum Vitae of Hermann Habermann		Habermann		
PTX-611	Federal Register, Vol. 71, No. 184		Habermann		
PTX-612	Federal Register, Vol. 81, No. 197		Habermann		
PTX-613	FR Doc. 2018-12365, proposed Information Collection: Comment Request: 2020 Census. Docket number USBC-2018-005, letter report from National Academies of Sciences, Committee on National Statistics, Task Force on the 2020 Census to U.S. Department of Commerce, Departmental Paperwork Clearance Officer, Aug. 7, 2018 (Federal Register / Vol. 83, No. 111)		Habermann		
PTX-614	Fundamental Principles of Official Statistics (A/RES/68/261 from 29 January 2014), p. 2-2.		Habermann		
PTX-615	National Research Council. (2013). Principles and Practices for a Federal Statistical Agency, Washington, D.C.: The National Academies Press		Habermann		
PTX-616	Intentionally left blank				
PTX-617	Intentionally left blank				
PTX-618	United Nations, Principles and Recommendations for Population and Housing Censuses, 2017 https://unstats.un.org/unsd/demographic-social/Standards-and-Methods/files/Principles_and_Recommendations/Population-and-Housing-Censuses/Series_M67rev3-E.pdf		Habermann		

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-619	Habermann, An Examination of City Groups, December 2017. HABERMANN000005]		Habermann		
PTX-620	Habermann, A Regional Training Network Concept [HABERMANN000022]		Habermann		
PTX-621	Habermann & deViries, Review of Two Assessments Reports About the Palestinian Central Bureau of Statistics (PCBS), Draft 1.2, May 2014. [HABERMANN000035]		Habermann		
PTX-622	Habermann, 2020 Census Citizenship Question - Need Not Demonstrated; Standards Not Followed Justification and Standards Expected [HABERMANN00066]		Habermann		
PTX-623	Email from John Abowd to Ron Jarmin re Request to Reinstate Citizenship Question On 2020 Census Questionnaire (12/22/17) [AR 5656]	AR			
PTX-624	Email Chain between R. Jarmin and B. Robinson, et al., re DOJ (2/15/18) [AR 9074]	AR			
PTX-625	Letter from Arthur Gary to Kelly R. Welsh, General Counsel, U.S. Department of Commerce re Legal Authority for American Community Survey Questions (6/25/14) [AR 278]	AR			
PTX-626	Powerpoint Presentation (without notes) titled, "Submission of the 2020 Census and American Community Survey Questions to Congress" (Feb. 2018) [AR 435]	AR			
PTX-627	Email from Michael Cook to Joanne Crane re Citizenship question on 2020 (1/2/18) [AR 5512]	AR			
PTX-628	Email from Michael Cook to Stephen Buckner, et al. re Director's Blog - Measuring Citizenship at the U.S. Census Bureau since 1790 (12/18/17) [AR 5565]	AR			
PTX-629	Measuring citizenship at the U.S. Census Bureau since 1790 [AR 5567]	AR			
PTX-630	Intentionally left blank				
PTX-631	Intentionally left blank				
PTX-632	Intentionally left blank				
PTX-633	D'Vera Cohn, "What to know about the citizenship question the Census Bureau is planning to ask in 2020," Pew Research Center, March 30, 2018, http://www.pewresearch.org/facttank/2018/03/30/what-to-know-about-the-citizenship-question-the-census-bureau-is-planning-to-ask-in-2020/ .		Handley		
PTX-634	Expert Report of Lisa Handley		Handley		
PTX-635	Curriculum Vitae of Lisa Handley		Handley		
PTX-636	Barnett v. City of Chicago, 141 F.3d 699 (7th Cir. 1998)		Handley		
PTX-637	Townsend v. Holman Consulting Corp., 914 F.2d 1136 (9th Cir. 1990)		Handley		

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-638	LULAC v. Perry, 548 U.S. 399, 423-442 (2006)		Handley		
PTX-639	Rodriguez v. Harris County, 964 F. Supp. 2d 686 (S.D. Tex. 2013).		Handley		
PTX-640	Patino v. City of Pasadena, 230 F. Supp. 3d 667 (S.D. Tex. 2017)		Handley		
PTX-641	Benavidez v. Irving Independent School District, No. 3:13-CV-0087-D, 2014 WL 4055366 (N.D. Tex. 2014)		Handley		
PTX-642	United States v. Village of Port Chester, No. 06 Civ. 15173(SCR), 2008 WL 190502 (S.D.N.Y. 2008).		Handley		
PTX-643	Texas v. United States, 887 F. Supp. 2d 133 (D.D.C. 2012)		Handley		
PTX-644	Texas v. United States, 570 U.S. 928 (2013)		Handley		
PTX-645	Shelby County v. Holder, 133 S. Ct. 2612 (2013).		Handley		
PTX-646	U.S. Department of Justice Website, Section 5 Voting Rights Act, at: https://www.justice.gov/crt/about-section-5-votingrights-act		Handley		
PTX-647	Trial Demonstrative PDX-31, Professional Experience (Trial Testimony of Lisa Handley, State of New York, et al. v. U.S. Dep't. of Commerce)		Handley		
PTX-648	Trial Demonstrative PDX-32, DOJ Voting Section Litigation (Trial Testimony of Lisa Handley, State of New York, et al. v. U.S. Dep't. of Commerce)		Handley		
PTX-649	Trial Demonstrative PDX-33, Focus of Opinion (Trial Testimony of Lisa Handley, State of New York, et al. v. U.S. Dep't. of Commerce)		Handley		
PTX-650	Trial Demonstrative PDX-34, Overall Opinion (Trial Testimony of Lisa Handley, State of New York, et al. v. U.S. Dep't. of Commerce)		Handley		
PTX-651	Trial Demonstrative PDX-35, Gingles Preconditions (Trial Testimony of Lisa Handley, State of New York, et al. v. U.S. Dep't. of Commerce)		Handley		
PTX-652	Trial Demonstrative PDX-36, TIGERweb map (Trial Testimony of Lisa Handley, State of New York, et al. v. U.S. Dep't. of Commerce)		Handley		
PTX-653	Trial Demonstrative PDX-37, Texas Statewide Court Districts (9 District Plan, Population and Voting Age) (Trial Testimony of Lisa Handley, State of New York, et al. v. U.S. Dep't. of Commerce)		Handley		
PTX-654	Trial Demonstrative PDX-38, Texas Statewide Court Districts (9 District Plan, Citizen Voting Age Population) (Trial Testimony of Lisa Handley, State of New York, et al. v. U.S. Dep't. of Commerce)		Handley		
PTX-655	Trial Demonstrative PDX-39, Village of Port Chester (Trial Testimony of Lisa Handley, State of New York, et al. v. U.S. Dep't. of Commerce)		Handley		
PTX-656	Trial Demonstrative PDX-40, Conclusions (Trial Testimony of Lisa Handley, State of New York, et al. v. U.S. Dep't. of Commerce)		Handley		

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-657	Thornburg v. Gingles, 478 U.S. 30 (1986).		Handley; Karlan		
PTX-658	Bartlett v. Strickland, 556 U.S. 1 (2009).		Handley; Karlan		
PTX-659	Reyes v. City of Farmers Branch, 586 F.3d 1019 (5th Cir. 2009)		Handley; Karlan		
PTX-660	Negron v. City of Miami Beach, 113 F.3d 1563 (11th Cir. 1997)		Handley; Karlan		
PTX-661	Romero v. City of Pomona, 883 F.2d 1418 (9th Cir. 1989)		Handley; Karlan		
PTX-662	List of DOJ section 2 cases at https://www.justice.gov/crt/voting-section-litigation		Handley; Karlan		
PTX-663	Expert Report of Pamela Karlan		Karlan		
PTX-663-A	Appendix A to Karlan Report - Curriculum Vitae of Pamela Karlan		Karlan		
PTX-663-B	Appendix B to Karlan Report - Letter from Arthur Gary to Ron Jarmin (9/20/17)		Karlan		
PTX-663-C	Appendix C to Karlan Report - List of Cases		Karlan		
PTX-664	Withdrawn		N/A		
PTX-665	Nation.csv (available at https://www.census.gov/rdo/data/voting_age_population_by_citizenship_and_race_cvap.html)		Karlan		
PTX-666	U.S. Department of Justice Website, Section 2 of the Voting Rights Act, at https://www.justice.gov/crt/section-2-voting-rights-act		Karlan		
PTX-667	U.S. Census Bureau,Citizen Voting Age Population (CVAP) Special Tabulation From the 2011-2015 5-Year American Community Survey (ACS), available at https://www.census.gov/rdo/pdf/CVAP_11to15_Documentation.pdf		Karlan		
PTX-668	Justin Levitt, Citizenship and the Census, 119 Colum. L. Rev. _ (for thcoming 2019) (manuscript at 24-29), draft available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3250265 . [KARLAN0001]		Karlan		
PTX-669	Karlan Bibliography (supplemental production) [KARLAN0052]		Karlan		
PTX-670	U.S. Census Bureau , Voting Age Population by Citizenship and Race (CVAP) (2017), available at https://www.census.gov/rdo/data/voting_age_population_by_citizenship_and_race_cvap.html		Karlan		
PTX-671	Fabela v. City of Farmers Branch, 2012 WL 3135545 (N.D. Tex. Aug. 2, 2012).		Karlan		

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-672	National Commission on the Voting Rights Act, Protecting Minority Voters: The Voting Rights Act at Work, 1982-2005 (2006) (https://lawyerscommittee.org/publication/protecting-minority-voters-the-voting-rights-act-at-work-1982-2005/)		Karlan		
PTX-673	Ellen Katz, et al., Documenting Discrimination in Voting: Judicial Findings Under Section 2 of the Voting Rights Act Since 1982 Final Report of the Voting Rights Initiative, University of Michigan Law School, 39 U. Mich. J. L. Reform 643, 656-57 (2006).		Karlan		
PTX-674	Wright v. Sumter County Bd. of Elections & Registration, 2014 WL 1347427 (M.D. Ga. Apr. 3, 2014);		Karlan		
PTX-675	In re 2012 Legislative Districting, 80 A.3d 1073 (Md. 2013)		Karlan		
PTX-676	Fairley v. Hattiesburg, 584 F.3d 660 (5th Cir. 2009)		Karlan		
PTX-677	Sensley v. Albritton, 385 F.3d 591 (5th Cir. 2004)		Karlan		
PTX-678	Gause v. Brunswick County, 1996 WL 453466 (4th Cir. 1996)		Karlan		
PTX-679	Al-Hakim v. Florida, 892 F. Supp. 1464 (M.D. Fla. 1995), aff'd, 99 F.3d 1154 (11th Cir. 1996)		Karlan		
PTX-680	Stabler v. Cty. of Thurston, 129 F.3d 1015 (8th Cir. 1997)		Karlan		
PTX-681	Dillard v. Baldwin County Comm'r's, 376 F.3d 1260, 1269 (11th Cir. 2004)		Karlan		
PTX-682	Hall v. Virginia, 385 F.3d 421 (4th Cir. 2004)		Karlan		
PTX-683	McNeil v. Springfield Park Dist., 851 F.2d 937 (7th Cir. 1988)		Karlan		
PTX-684	Metts v. Almond, 217 F. Supp. 2d 252, 261 (D.R.I. 2002)		Karlan		
PTX-685	Metts v. Almond, 363 F.3d 8 (1st Cir. 2004)		Karlan		
PTX-686	Rios-Andino v. Orange County, 51 F. Supp. 3d 1215, 1225 (M.D. Fla. 2014)		Karlan		
PTX-687	Skorepa v. City of Chula Vista, 723 F. Supp. 1384, 1390 (S.D. Cal. 1989)		Karlan		
PTX-688	Thompson v. Kemp, 309 F. Supp. 3d 1360, 1366 (N.D. Ga. 2018)		Karlan		
PTX-689	Turner v. Arkansas, 784 F. Supp. 553, 570 (E.D. Ark. 1991), summarily aff'd, 504 U.S. 952 (1992).		Karlan		
PTX-690	Benavidez v. Irving Indep. Sch. Dist., 690 F. Supp. 2d 451 (N.D. Tex. 2010)		Karlan		
PTX-691	Campos v. City of Houston, 113 F.3d 544 (5th Cir. 1997)		Karlan		
PTX-692	Perez v. Pasadena Indep. Sch. Dist., 958 F. Supp. 1196 (S.D. Tex. 1997), aff'd, 165 F.3d 368 (5th Cir. 1999),		Karlan		
PTX-693	Johnson v. DeSoto County. Bd. of Comm'r's, 204 F.3d 1335 (11th Cir. 2000)		Karlan		
PTX-694	Valdespino v. Alamo Heights Indep. Sch. Dist., 168 F.3d 848 (5th Cir. 1999)		Karlan		
PTX-695	Cisneros v. Pasadena Independent School Dist., Not Reported in F.Supp.3d (2014)		Karlan		

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-696	Email from J. Uthmeier to D. Langdon re "Lunch Today?" (Jan. 29, 2018) [AR 2024]	AR			
PTX-697	Bahrampour, Tara, "White House Proposal to ask immigration status in Censis could have chilling effect, experts say" (New York Times, Feb. 1, 2017)		Neuman		
PTX-698	Excerpt - Agency Action Plan re Census Bureau		Neuman		
PTX-699	Excerpt of Secretary Ross's Calendar		Neuman		
PTX-700	Supreme Court Opinion in League of the United Latin American Citizens et al. v. Perry, Governor of Texas, et al.		Neuman		
PTX-701	Major Supreme Court Rulings Regarding the Decennial Census		Neuman		
PTX-702	US Census Bureau - Vendor Map (July 2017)		Neuman		
PTX-703	American Community Survey (ACS) Why We Ask: Place of Birth, Citizenship and Year of Entry		Neuman		
PTX-704	Email from Mark Neuman to Ron Jarmin re: Meeting request from Secretary Ross (3/14/18) [AR 8403]	AR			
PTX-705	Call Agenda for Secretary Ross, March 15, 2018 [AR 3491]	AR			
PTX-706	Email from Joseph Semsar to Macie Leach, et al. re: MThis Afternoon's Stakeholder Calls (3/22/18) [AR 1815]	AR			
PTX-707	Critical Objective for Census, Reducing & Eliminating Black vs. Non-Black Differential Undercount and Why It Matters (July 28, 2017) [DOJ00129977]		Neuman		
PTX-708	Email from J. Uthmeier to B. Lenihan re: Draft Timeline (2/5/18)		Neuman		
PTX-709	Subpoena to Mark Neuman in Kraviz v. US Dept. of Commerce		Neuman		
PTX-710	Errata to Report of Colm O'Muircheartaigh		O'Muircheart aigh		
PTX-711	Curriculum Vitae of Colm O'Muircheartaigh		O'Muircheart aigh		
PTX-712	Expert Report of Colm O'Muircheartaigh		O'Muircheart aigh		
PTX-713	Memorandum for Ron S. Jarmin from Abowd re: Summary of Quality/Cost Alternatives for Meeting Department of Justice Request for Citizenship Data (Jan. 3, 2018) [AR0008614].	AR			
PTX-714	ITA Hearing Prep Q&As for March 20, 2018 CJS Appropriations Hearing [AR0004239]	AR			
PTX-715	Billiet, J. and G. Loosveldt (1988), "Improvement of the Quality of Responses to Factual Survey Questions by Interviewer Training," Public Opinion Quarterly.		O'Muircheart aigh		
PTX-716	DeMaio, T., (2003) Standards for Pretesting Questionnaires and Survey Related Materials for U.S. Census Bureau Surveys and Censuses, U.S. Census Bureau.		O'Muircheart aigh		

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-717	Durrant, G., Groves, R., Staetsky, L., and Steele, F., (2010) "Effects of Interviewer Attitudes and Behaviors on Refusal in Household Surveys" <i>Public Opinion Quarterly</i> , 74(1), pp. 1-36.		O'Muircheartaigh		
PTX-718	Eckman, S. and O'Muircheartaigh, C., (2011) "Performance of the Half-Open Interval Missed Housing Unit Procedure," <i>Journal of the European Survey Research Association</i> , 5(3), pp. 125-131.		O'Muircheartaigh		
PTX-719	Groves, R., Singer, E., and Corning, A., (2000) "Leverage—Saliency Theory of Survey Participation: Description and an Illustration," <i>Public Opinion Quarterly</i> , 64(3), pp. 299-308.		O'Muircheartaigh		
PTX-720	Groves, R. and McGonagle, K., (2001) "A Theory-Guided Interviewer Training Protocol Regarding Survey Participation," <i>Journal of Official Statistics</i> , 17(2), pp. 249- 265.		O'Muircheartaigh		
PTX-721	Mangione, T., Fowler, F., and Louis, T., (1992) "Question Characteristics and Interviewer Effects," <i>Journal of Official Statistics</i> , 8(3), at pp. 293-307.		O'Muircheartaigh		
PTX-722	Martin, E., (2007) "Strength of Attachment: Survey Coverage of People with Tenuous Ties to Residences" <i>Demography</i> , 44(2), pp. 427-440.		O'Muircheartaigh		
PTX-723	Mayer, T., (Feb. 7, 2002) Privacy and Confidentiality Research and The U.S. Census Bureau Recommendations Based on a Review of the Literature, Research Report Series Survey Methodology #2002-01, U.S. Census Bureau, Statistical Research Division, available at https://www.census.gov/srd/papers/pdf/rsm2002-01.pdf		O'Muircheartaigh		
PTX-724	O'Brien, E., Mayer, T., Groves, R., O'Niel, G., (2002) "Interviewer Training to Increase Survey Participation," American Statistical Association, Joint Statistical Meetings – Section on Survey Research Methods, pp. 2502-2507.		O'Muircheartaigh		
PTX-725	O'Hare, W., Mayol-Garcia, Y., Wildsmith, E., and Torres, A., (April 2016) The Invisible Ones: How Latino Children Are Left Out of Our Nation's Census Count, U.S. Census Bureau, available at ftp://ftp.census.gov/cac/nac/meetings/2016-11/2016-04-latinochildren.pdf		O'Muircheartaigh		
PTX-726	The Leadership Conference Education Fund, Table 1a: States Ranked by Number of Hispanics Living in Hard-to-Count (HTC) Census Tracts, available at http://civilrightsdocs.info/pdf/census/2020/Table1a-States-Number-Hispanics-HTC.pdf		O'Muircheartaigh		
PTX-727	Intentionally left blank				
PTX-728	Intentionally left blank				
PTX-729	Intentionally left blank				

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-730	U.S. Census Bureau, Decennial Census of Population and Housing (2017) available at https://www.census.gov/programs-surveys/decennial-census/about/why.html		O'Muircheart aigh		
PTX-731	Deposition Transcript of Ron Jarmin (8/20/18)		O'Muircheart aigh		
PTX-732	Intentionally left blank				
PTX-733	Intentionally left blank				
PTX-734	Public Trust in Government: 1958-2017 (Dec. 14, 2017). Pew Research Center. Available at http://www.peoplepress.org/2017/12/14/public-trust-in-government-1958-2017/ .		O'Muircheart aigh		
PTX-735	Latinos and the New Trump Administration. (2017). Pew Research Center. Available at http://www.pewhispanic.org/2017/02/23/latinos-and-the-new-trump-administration/ .		O'Muircheart aigh		
PTX-736	Alsan, M. and Yang, C. (2018) "Fear and the Safety Net: Evidence from Secure Communities." NBER Working Paper Series No. 24731, available at http://www.nber.org/papers/w24731.pdf .		O'Muircheart aigh		
PTX-737	U.S. Census Bureau, Providence, Rhode Island—Thank You (Sept. 15, 2018) https://www.census.gov/library/visualizations/2018/dec/providence-rhode-island-thank-you.html .		O'Muircheart aigh		
PTX-738	Earl Letourneau, Mail Response/Return Rate Assessment, U.S. Census Bureau, May 30, 2012, p. vii and p. 11-12.		O'Muircheart aigh		
PTX-739	Herbert F. Stackhouse and Sarah Brady, Census 2000 Mail Return Rates, U.S. Census Bureau, January 30, 2003.		O'Muircheart aigh		
PTX-740	2010 Census Recruiting and Hiring Assessment Report, 2010 Census Planning Memoranda Series No. 155 (Nov. 2, 2011).		O'Muircheart aigh		
PTX-741	Robert Bernstein, "U.S. Census Bureau Needs Hundreds of Thousands of Workers," U.S. Census Bureau (July 17, 2018), available at https://web.archive.org/web/20180821145302/https://www.census.gov/library/stories/2018/07/recruiting-for-2020-census.html		O'Muircheart aigh		
PTX-742	"Coverage Measurement Definitions," U.S. Census Bureau, https://www.census.gov/coverage_measurement/definitions/ (last visited Oct. 4, 2018)		O'Muircheart aigh		
PTX-743	Intentionally left blank				

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-744	Planning Database with 2010 Census and 2010-2014 American Community Survey Data, At the Tract Level. U.S.Census Bureau, February 2015. Data and documentation available at: https://www.census.gov/research/data/planning_database/		O'Muircheart aigh		
PTX-745	Roger Tourangeau, Gary Shapiro, Anne Kearney, and Lawrence Ernst (1997), "Who lives here? Survey undercoverage and household roster questions." <i>Journal of Official Statistics</i> 13:1-18.		O'Muircheart aigh		
PTX-746	Kevin S. Blake, Rebecca L. Kellerson, and Aleksandra Simic (2007), "Measuring overcrowding in housing." Washington, DC: Department of Housing and Urban Development, Office of Policy Development and Research.		O'Muircheart aigh		
PTX-747	2017 National Population Projection Tables, Table 8 (https://census.gov/data/tables/2017/demo/popproj/2017-summarytables.Html)		O'Muircheart aigh		
PTX-748	American Association for Public Opinion Research. Best Practices for Survey Research. Available at: https://www.aapor.org/Standards-Ethics/Best-Practices.aspx#best6		O'Muircheart aigh		
PTX-749	Deposition Transcript of John Abowd, Census Bureau 30(b)(6) Witness (10/12/18)		O'Muircheart aigh		
PTX-750	Expert Report of Dr. John Abowd		O'Muircheart aigh		
PTX-751	Expert Report of Stuart Gurea		O'Muircheart aigh		
PTX-752	Intentionally left blank				
PTX-753	David Fein, "Racial and Ethnic Differences in Census Omission Rates," <i>Demography</i> , Vol. 27:285-302 (1990).		O'Muircheart aigh		
PTX-754	Memorandum from John Abowd and David Brown, September 28, 2018 ("NRFU Success Rate.docx").		O'Muircheart aigh		
PTX-755	U.S. Census Bureau, "U.S. Census Bureau Demonstrates Readiness for the 2020 Census" (2018). Available at: https://www.census.gov/newsroom/press-releases/2018/census-demonstrates-readiness-for-2020-census.html .		O'Muircheart aigh		
PTX-756	American Community Survey Questionnaire 2018		O'Muircheart aigh		

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-757	Bahrampour, T. (Jan. 30, 2018) "Non-citizens won't be hired as census-takers in 2020, staff is told," The Washington Post, available at https://www.washingtonpost.com/local/social-issues/non-citizens-wont-be-hired-as-census-takers-in-2020-staff-is-told/2018/01/30/b327c8d8-05ee-11e8-94e8-e8b8600ade23_story.html?utm_term=.4a1d4bbba5e9 (as of Sept. 19, 2018).		O'Muircheart aigh		
PTX-758	Singer, E., Van Hoewyk, J. and Neugebauer, R., (2003) "Attitudes and Behavior: The Impact of Privacy and Confidentiality Concerns on Participation in the 2000 Census," Public Opinion Quarterly, 67(3), pp. 368-384.		O'Muircheart aigh		
PTX-759	Singer, E., Mathiowetz, N., and Couper, M., (1993) "The Impact of Privacy and Confidentiality Concerns on Survey Participation the Case of the 1990 U.S. Census" Public Opinion Quarterly, 57(4), pp. 465-482.		O'Muircheart aigh		
PTX-760	U.S. Government Accountability Office (GAO), Statement of Robert Goldenkoff, Director, Strategic Issues and David A. Powner, Director, Information Technology, 2020 CENSUS Continued Management Attention Needed to Mitigate Key Risks Jeopardizing a Cost-Effective and Secure Enumeration (April 18, 2018), Testimony Before the Subcommittee on Commerce, Justice, Science, and Related Agencies, Committee on Appropriations, House of Representatives (GAO-18-416T) (April 18, 2018)		O'Muircheart aigh		
PTX-761	Brown, J., Heggeness, M., Dorinski, S., Warren, L., and Yi, M., Understanding Quality of Alternative Citizenship Data Sources for the 2020 Census, Center for Economic Studies, U.S. Census Bureau Working Paper 18-38. (Aug. 6, 2018), available at https://www2.census.gov/ces/wp/2018/CES-WP-18-38.pdf (as of September 19, 2018).		O'Muircheart aigh; Handley		
PTX-762	U.S. Office of Management and Budget (OMB), Evaluating Survey Questions: An Inventory of Methods, Statistical Policy Working Paper 47 (Jan. 2016), Statistical and Science Policy Office, available at https://www.bls.gov/osmr/spwp47.pdf		O'Muircheart aigh		
PTX-763	Linked In of Sahra Su, Chief of Staff of US Department of Commerce		Park-Su		
PTX-764	Email from David Langdon to Sahra Park-Su re: 2020 and ACS topics (6/30/17)		Park-Su		
PTX-765	Email from Park-Su to D. Langdon re: Fwd: Steering Committee Read Ahead -- Citizenship (1/11/18) [AR 3549]	AR			
PTX-766	Email from Park-Su to J. Uthmeier re: Steering Committee meeting tomorrow (1/29/18) [AR 1984]	AR			
PTX-767	Email from Park-Su to REDACTED re: Slide Deck for Secretary Ross Briefing (1/16/18) [AR 3503]	AR			

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-768	Email from A. Willard to Park-Su re: Questions for Census (1/30/18) [AR 3706]	AR			
PTX-769	Email from E. Comstock to Macie Leach re: Schedule for Wednesday, March 7, 2018 (3/7/18) [AR 2440]	AR			
PTX-770	Email from Sahra Su to Park-Su re: Summaries (3/21/18) [AR 3566]	AR			
PTX-771	Intentionally left blank				
PTX-772	Expert Report of Andrew Reamer		Reamer		
PTX-773	Curriculum Vitae of Andrew Reamer		Reamer		
PTX-774	Initial Analysis: 16 Large Census-guided Financial Assistance Programs (August 2017), available at https://gwipp.gwu.edu/counting-dollars-2020-role-decennial-census-geographicdistribution-federal-funds .		Reamer		
PTX-775	Estimating Fiscal Costs of a Census Undercount to States (March 2018), available at https://gwipp.gwu.edu/counting-dollars-2020-role-decennial-census-geographicdistribution-federal-funds .		Reamer		
PTX-776	Andrew Reamer and Rachel Carpenter, "Counting for Dollars: The Role of the Decennial Census in the Distribution of Federal Funds," The Brookings Institution, March 9, 2010. Available at https://www.brookings.edu/research/counting-for-dollars-the-role-of-the-decennial-census-in-the-distribution-of-federal-funds/		Reamer		
PTX-777	Catalog Of Federal Domestic Assistance – CFDA, Investopedia, available at https://www.investopedia.com/terms/c/catalog-of-federal-domestic-assistance-cfda.asp		Reamer		
PTX-778	CFDA Website, https://beta.sam.gov/		Reamer		
PTX-779	Intentionally left blank				
PTX-780	Office of Management and Budget, "Analytical Perspectives, Budget of the United States Government, Fiscal Year 2019," Supplemental Materials, February 2018, Table 19.8: Direct Loan Transactions of the Federal Government and Table 19.9: Guaranteed Loan Transactions of the Federal Government, available at https://www.whitehouse.gov/omb/analytical-perspectives/ .		Reamer		
PTX-781	Intentionally left blank				

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-782	U.S. Census Bureau, "Methodology for the United States Population Estimates: Vintage 2017, Nation, States, Counties, and Puerto Rico – April 1, 2010 to July 1, 2017," available at https://www2.census.gov/programssurveys/popest/technical-documentation/methodology/2010-2017/2017-natstcpr-meth.pdf .		Reamer		
PTX-783	Intentionally left blank				
PTX-784	Intentionally left blank				
PTX-785	Intentionally left blank				
PTX-786	Intentionally left blank				
PTX-787	Intentionally left blank				
PTX-788	Intentionally left blank				
PTX-789	Intentionally left blank				
PTX-790	Intentionally left blank				
PTX-791	Intentionally left blank				
PTX-792	Intentionally left blank				
PTX-793	Intentionally left blank				
PTX-794	Intentionally left blank				
PTX-795	Intentionally left blank				
PTX-796	Intentionally left blank				
PTX-797	Intentionally left blank				
PTX-798	Intentionally left blank				
PTX-799	Intentionally left blank				
PTX-800	Intentionally left blank				
PTX-801	Intentionally left blank				
PTX-802	Intentionally left blank				
PTX-803	Intentionally left blank				
PTX-804	Intentionally left blank				
PTX-805	Intentionally left blank				
PTX-806	Intentionally left blank				
PTX-807	Intentionally left blank				
PTX-808	Intentionally left blank				
PTX-809	Intentionally left blank				
PTX-810	Intentionally left blank				

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-811	Intentionally left blank				
PTX-812	Reamer Census-guided funding in rural America draft 08-30-18.pdf [REAMER_000001-REAMER_000016]		Reamer		
PTX-813	TEGL_16-17.pdf [REAMER_000017-REAMER_000046]		Reamer		
PTX-814	Title I 09-17-18.xlsx [REAMER_000049]		Reamer		
PTX-815	WIC 09-17-18.xlsx [REAMER_000050]		Reamer		
PTX-816	Fraga_NonResponseScenarios 9-17-18 Reamer analysis.xlsx [REAMER_000051]		Reamer		
PTX-817	Fraga_NonResponseScenarios 9-17-18 (1).csv [REAMER_000052]		Reamer		
PTX-818	Social Service Block Grants 09-17-18.xlsx [REAMER_000053]		Reamer		
PTX-819	Testimony of Dr. Lisa Handley, Trial Transcript (November 13, 2018) State of New York, et al. v. United States Department of Commerce, et al. No. 18-cv-2921; New York Immigration Coalition, et al. v. United States Department of Commerce, et al., No. 18-cv-5025		Handley		
PTX-820	Testimony of Hermann Habermann, Trial Transcript (November 6, 2018) State of New York, et al. v. United States Department of Commerce, et al. No. 18-cv-2921; New York Immigration Coalition, et al. v. United States Department of Commerce, et al., No. 18-cv-5025		Habermann		
PTX-821	Trial Affidavit of Hermann Habermann, ECF No. 498-11, State of New York, et al. v. United States Department of Commerce, et al. No. 18-cv-2921		Habermann		
PTX-822	Email from R. Jarmin to A. Gary (1/2/18) [AR005490]	AR			
PTX-823	Tables 1-12 from Barreto Report		Abowd		
PTX-824	Appendix B from Barreto Report		Gureea		
PTX-825	Tables 3 and 4 from Barreto Report		Gureea		
PTX-826	Intentionally left blank				
PTX-827	Undated Memorandum titled "Sample Design Specifications for the 2020 Census Barriers, Attitudes, and Motivators Study ("CBAMS") Survey" [COM_DIS00021090]		Abowd		
PTX-828	Expert Report of Margo Anderson		Anderson		
PTX-829	Expert Rebuttal Report of Matthew Barreto		Barreto		
PTX-830	De la Puente, Manuel, "An Analysis of the Underenumeration of Hispanics: Evidence from Small Area Ethnographic Studies," in Annual Research Conference Proceedings, Bureau of the Census, pp. 45-69.		Barreto		

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-831	November 21, 2018 Letter from Senator Schatz, et al. to Hon. Eric S. Dreiband		Tometi		
PTX-832	Michael Latner, Union of Concerned Scientists, Scientific Integrity and Privacy at Risk in Census (Nov. 29, 2018)		Tometi		
PTX-833	Brentin Mock, Citylab, Would Top Census Officials Hand Over Citizenship Status Data? (Nov. 20, 2018)		Tometi		
PTX-834	Hansi Lo Wang, National Public Radio, DOJ, Asked About Census Confidentiality, Crafted Intentionally Vague Answer (Nov. 19, 2018)		Tometi		
PTX-835	Tara Bahrampour, Washington Post, Trump Administration Officials Suggested Sharing Census Responses with Law Enforcement, Court Documents Show (Nov. 19, 2018)		Tometi		
PTX-836	DOJ Civil Rights Division Guidance on Limited English Proficiency		Melchor		
PTX-837	California Employment Development Department EDD Directive WSD-17-03		Melchor		
PTX-838	Reports from the Census Bureau's American FactFinder		Reamer		
PTX-839	Census form used in the 2018 End-to-End test census.		Abowd		
PTX-840	San Jose Public Library Mission and Vision		Bourne		
PTX-841	US DOE, State Educational Agency Procedures for Adjusting Basic, Concentration, Targeted, and Education Finance Incentive Grant Allocations Determined by the U.S. Dept. of Educ. (May 23, 2003) [LAUSD000084-LAUSD000118]		Ryback		
PTX-842	US DOE, Non-Regulatory Guidance: Fiscal Changes and Equitable Services Requirements Under the Elementary and Secondary Education Act of 1965 (ESEA) (Nov. 21, 2016) [LAUSD000269-LAUSD000281]		Ryback		
PTX-843	US DOE, Grants to Local Educational Agencies (Sept. 5, 2018) [LAUSD000282-LAUSD000312]		Ryback		
PTX-844	CDE, Title III, Part A, Allocation Tables for FY 2017-18 [LAUSD000441-LAUSD000456]		Ryback		
PTX-845	CDE, Title I, Part A, Allocation Tables for FY 2017-18 [LAUSD000570-LAUSD000592]		Ryback		
PTX-846	CDE, Title II, Part A, Allocation Tables for FY 2017-18 [LAUSD000650-LAUSD000670]		Ryback		
PTX-847	LAUSD, Title I through IV Allocation Tables for FY 2015-16 through 2017-18 [LAUSD000699]		Ryback		

Exhibit No.	Exhibit Description	AR	Sponsoring Witness	Date Identified	Date Entered
PTX-848	Los Angeles, LA Census 2020: Los Angeles Unified School District [LAUSD000895-LAUSD000896]		Escudero		
PTX-849	LAUSD, OpenData: Student Enrollment by Board District [LAUSD000897]		Escudero		
PTX-850	LAUSD, OpenData: Student Enrollment by EL Status [LAUSD000898]		Escudero		
PTX-851	LAUSD, OpenData: Student Enrollment by Race/Ethnicity [LAUSD000899- LAUSD000900]		Escudero		
PTX-852	LAUSD, OpenData: Student Enrollment by Gender [LAUSD000901]		Escudero		
PTX-853	LAUSD, OpenData: Student Enrollment by LCFF Economic Status [LAUSD000903]		Escudero		
PTX-854	LAUSD, OpenData: Student Enrollment by Disability Status [LAUSD000904]		Escudero		
PTX-855	LAUSD, Redistricting Maps (2012) [LAUSD000922-LAUSD000931]		Crain		
PTX-856	LAUSD, Redistricting Data Tables (2012) [LAUSD000951- LAUSD000953]		Crain		
PTX-857	LAUSD, Redistricting Overview (2012) [LAUSD000954-LAUSD000966]		Crain		
PTX-858	LAUSD, 2011-12 Redistricting Records		Crain		
PTX-859	2020 Census Complete Count Committee (CCC) Planning Meeting Agenda (8/9/18) [SJBAJI00001]		Ruster		
PTX-860	Census 2020 Complete Count Committee (CCC) Planning Meeting Agenda (9/28/18) [SJBAJI00002]		Ruster		
PTX-861	Intentionally left blank				
PTX-862	Census 2020, Census 101 and the Work of the Complete Count Committee, Presentation to the Santa Clara County CCC Convening, by Paul R. Kumar [SJBAJI00011-SJBAJI00026]		Ruster		

Exhibit C

DEFENDANTS' EXHIBIT LIST

Exhibit Number	Description	Purpose/Substance	Sponsoring Witness
DTX-001	Bates, Nancy, The Morris Hansen Lecture, Hard-to-Survey Populations and the U.S. Census: Making Use of Social Marketing Campaigns, <i>Journal of Official Statistics</i> , Vol. 33, No. 4, 2017	Projected and actual national self-response rates in the 1990, 2000, and 2010 censuses and effect of social marketing campaigns; general background regarding census; relied upon by Defendants' expert in forming his opinions	Dr. John Abowd
DTX-002	Brown, J. David, Misty L. Heggeness, Suzanne M. Dorinski, Lawrence Warren, and Moises Yi, "Understanding the Quality of Alternative Citizenship Data Sources for the 2020 Census," U.S. Census Bureau, Center for Economic Studies, Working Paper, CES 18-38, Aug., 2018	Assessment of the quality of citizenship data in self-reported survey responses compared to administrative records and evaluation of options for constructing an accurate count of resident U.S. citizens; estimate of effect of inclusion of citizenship question on the 2020 census on self-response rates in households potentially containing noncitizens; general background regarding census; relied upon by Defendants' expert in forming his opinions	Dr. John Abowd
DTX-003	U.S. Census Bureau, 2010 Geographic Terms and Concepts, Block	Census Bureau's definition and description of "census block"; relied upon by Defendants' expert in forming his opinions	Dr. John Abowd
DTX-004	U.S. Census Bureau, 2020 Census Program Internal Memorandum Series: 2017.28.i, <i>Release of the 2018 End-to-End Census Test Plan</i> , Nov. 1, 2017	Design of the 2018 End-to-End Census Test; general background regarding census; relied upon by Defendants' expert in forming his opinions	Dr. John Abowd

Exhibit Number	Description	Purpose/Substance	Sponsoring Witness
DTX-005	U.S. Census Bureau, 2020 Census Lifecycle Cost Estimate Internal Document, Tables, Sept. 29, 2017	Number of housing units to be covered in the 2020 Census by mailing strategy and Non-Response Follow-Up (“NRFU”) operation and estimated costs; general background regarding census; relied upon by Defendants’ expert in forming his opinions	Dr. John Abowd
DTX-006	U.S. Census Bureau, 2020 Type of Enumeration Areas (TEAs): Final TEA Delineations for Approval, Aug. 14, 2018	Number of housing units to be covered in the 2020 Census by type of enumeration; general background regarding census; relied upon by Defendants’ expert in forming his opinions	Dr. John Abowd
DTX-007	U.S. Census Bureau, 2020 Census: NRFU Workload Estimates by Area Census Office, May 24, 2017	NRFU workload estimate by area census office for 2020 census; relied upon by Defendants’ expert in forming his opinions	Dr. John Abowd
DTX-008	Email from B. Taylor to J. Treat, Re: Staffing Ratios, Aug. 10, 2018	Staffing plans for 2020 census; relied upon by Defendants’ expert in forming his opinions	Dr. John Abowd
DTX-009	Email from B. Taylor to M. Chapin, E. Kobilarcik, and R. Harbold, Re: Information Needed for Jim Treat, Sept. 11, 2018	Productivity and cost estimates for aspects of NRFU operations for 2020 census; contingency amounts for 2020 census; general background regarding census; relied upon by Defendants’ expert in forming his opinions	Dr. John Abowd
DTX-010	Intentionally left blank	---	---

Exhibit Number	Description	Purpose/Substance	Sponsoring Witness
DTX-011	Siegel, Jacob S. and Jeffery S. Passell, U.S. Census Bureau, Coverage of the Hispanic Population of the United States in the 1970 Census: A Methodological Analysis, Current Population Reports: Special Studies P-23, No. 82 (1979)	Report applying the method of demographic analysis to evaluate the general quality of the data on the Hispanic population in the 1970 census, as well as to measure the coverage of specific age-sex groups; general background regarding census; relied upon by Defendants' expert in forming his opinions	Dr. John Abowd
DTX-012	U.S. Census Bureau, Issue Paper on the 1990 Census Race Question, Nov. 10, 1988	Census Bureau's analysis and recommendations for the race question on the 1990 census; general background regarding census; relied upon by Defendants' expert in forming his opinions	Dr. John Abowd
DTX-013	U.S. Census Bureau, DSSD 2000 Census Memorandum Series #E-18, <i>Final Results of the Mail Response Evaluation for the Simplified Questionnaire Test (SQT)</i> , Aug. 5, 1992	Evaluation of mail response rates for the 1992 Simplified Questionnaire Test, evaluating alternative short form designs; general background regarding census; relied upon by Defendants' expert in forming his opinions	Dr. John Abowd
DTX-014	U.S. Census Bureau, 1990 Census of Population and Housing, Evaluation and Research Reports, <i>Content Reinterview Survey: Accuracy of Data for Selected Population and Housing Characteristics as Measured by Reinterview</i> , Report 1990 CPH-E-1, Sept. 1993	Evaluation of the quality of the data collected in the 1990 census; general background regarding census; relied upon by Defendants' expert in forming his opinions	Dr. John Abowd
DTX-015	U.S. Census Bureau, DSSD 2010 Decennial Census Memorandum Series #J-12, <i>2010 Census Count Imputation Results</i> , June 7, 2011	Detailed results of count imputation in the 2010 Census; general background regarding census; relied upon by Defendants' expert in forming his opinions	Dr. John Abowd

Exhibit Number	Description	Purpose/Substance	Sponsoring Witness
DTX-016	U.S. Census Bureau, 2010 Census Planning Memoranda Series No. 155, <i>2010 Census Recruiting and Hiring Assessment Report</i> , Nov. 2, 2011	Report assessing recruiting and hiring of enumerators for 2010 census; general background regarding census; relied upon by Defendants' expert in forming his opinions	Dr. John Abowd
DTX-017	U.S. Census Bureau, U.S. Census Bureau Statistical Quality Standards, July 2013	Census Bureau's Statistical Quality Standards; relied upon by Defendants' expert in forming his opinions	Dr. John Abowd
DTX-018	U.S. Census Bureau, 2010 Census Planning Memorandum Series No. 182, <i>2010 Census Nonresponse Followup Quality Profile</i> , Mar. 21, 2012	Results of NRFU quality assurance program for 2010 census, to be used to plan 2020 census; general background regarding census; relied upon by Defendants' expert in forming his opinions	Dr. John Abowd
DTX-019	U.S. Census Bureau, Research Report Series (Statistics #2013-05), <i>A Visual Proof, a Test, and an Extension of a Simple Tool for Comparing Competing Estimates</i> , Feb. 24, 2014	Analysis of methods to compare estimates from competing sources; relied upon by Defendants' expert in forming his opinions	Dr. John Abowd
DTX-020	U.S. Census Bureau, <i>2020 Census Operational Plan</i> , Version 3.0, Sept. 2017	Operational design for 2020 census, for all operations required to execute the 2020 Census, describing design concepts and their rationale, identifying decisions made and remaining decisions, and describing remaining risks; general background regarding census; relied upon by Defendants' expert in forming his opinions	Dr. John Abowd

Exhibit Number	Description	Purpose/Substance	Sponsoring Witness
DTX-021	U.S. Census Bureau, <i>2020 Census Detailed Operational Plan for 15. Group Quarters Operation (QC)</i> , Version 1.0, Sept. 29, 2017	Detailed operational plan for group quarters operation for the 2020 census, including a summary of the operational processes involved, their inputs, outputs, controls, and the basic mechanisms employed to conduct the operational work; general background regarding census; relied upon by Defendants' expert in forming his opinions	Dr. John Abowd
DTX-022	U.S. Census Bureau, 2020 Census Program Memorandum Series: 2017.21, <i>Area Census Offices for the 2020 Census</i> , Nov. 6, 2017	Number and location of areas census offices for the 2020 census; general background regarding census; relied upon by Defendants' expert in forming his opinions	Dr. John Abowd
DTX-023	U.S. Census Bureau, <i>2020 Census Life-Cycle Cost Estimate: Executive Summary</i> , Version 1.0, Dec. 21, 2017	Census Bureau's cost estimate for the 2020 census, including assumptions and estimates made in planning for the census; general background regarding census; relied upon by Defendants' expert in forming his opinions	Dr. John Abowd

Exhibit Number	Description	Purpose/Substance	Sponsoring Witness
DTX-024	U.S. Census Bureau, <i>2020 Census Detailed Operational Plan for: 32. Field Infrastructure Operation (FLDI) and 33. Decennial Logistics Management Operation (DLM)</i> , Version 1.0, Jan. 24, 2018	Detailed operational plan for the field infrastructure operation (e.g., recruiting, hiring, administration, training, partnership support, management and supervision, clerical support) and decennial logistics management operation (e.g., space acquisition for and lease management of regional census centers and area census offices) for the 2020 census, including a summary of the operational processes involved, their inputs, outputs, controls, and the basic mechanisms employed to conduct the operational work; general background regarding census; relied upon by Defendants' expert in forming his opinions	Dr. John Abowd
DTX-025	U.S. Census Bureau, <i>2020 Census Operational Plan: Executive Summary</i> , Version 2.0, Feb. 2018	Overview of operational design for 2020 census, presenting the high-level schedule of key milestones and the most critical project risks; general background regarding census; relied upon by Defendants' expert in forming his opinions	Dr. John Abowd

Exhibit Number	Description	Purpose/Substance	Sponsoring Witness
DTX-026	U.S. Census Bureau, <i>2020 Census Detailed Operational Plan for: 17. Census Questionnaire Assistance Operation (CQA)</i> , Version 2.0, Feb. 2018	Detailed operational plan for census questionnaire assistance (e.g., telephone) operation for the 2020 census, including a summary of the operational processes involved, their inputs, outputs, controls, and the basic mechanisms employed to conduct the operational work; general background regarding census; relied upon by Defendants' expert in forming his opinions	Dr. John Abowd
DTX-027	U.S. Census Bureau, <i>2020 Census Detailed Operational Plan for: 18. Nonresponse Followup Operation (NRFU)</i> , Version 1.0, Apr. 16, 2018	Detailed operational plan for NRFU operation for the 2020 census, including a summary of the operational processes involved, their inputs, outputs, controls, and the basic mechanisms employed to conduct the operational work and describing a number of significant innovations that directly contribute to meeting cost and quality goals; general background regarding census; relied upon by Defendants' expert in forming his opinions	Dr. John Abowd
DTX-028	U.S. Census Bureau, <i>2020 Census Detailed Operational Plan for: 35. Update Leave Operation (UL)</i> , Version v1.0, June 25, 2018	Detailed operational plan for update leave operation for the 2020 census, including the operational design and processes developed to execute the update leave operation; general background regarding census; relied upon by Defendants' expert in forming his opinions	Dr. John Abowd

Exhibit Number	Description	Purpose/Substance	Sponsoring Witness
DTX-029	U.S. Census Bureau, <i>2020 Census Detailed Operational Plan for 12. Internet Self-Response Operation (ISR)</i> , Version 1.0, Aug. 22, 2018	Detailed operational plan for Internet self-response operation for the 2020 census, including a summary of the operational processes involved, their inputs, outputs, controls, and the basic mechanisms employed to conduct the operational work; general background regarding census; relied upon by Defendants' expert in forming his opinions	Dr. John Abowd
DTX-030	Abowd, John and David Brown, Internal memorandum on NRFU success rate, Sept. 28, 2018	Assessment of NRFU success rate in 2010 census; relied upon by Defendants' expert in forming his opinions	Dr. John Abowd or Dr. Stuart Gurea
DTX-031	Organisation for Economic Co-operation and Development, Development Co-operation Directorate, Outline of Principles of Impact Evaluation, http://www.oecd.org/dac/evaluation/dcdndep/37671602.pdf	Outline of general principles of impact evaluation, regarding how intervention being evaluated affects outcomes; relied upon by Defendants' expert in forming his opinions	Dr. Stuart Gurea
DTX-032	Federal Judicial Center and National Research Council, Reference Manual on Scientific Evidence, Third Ed., 2011, pp. 383-385	Excerpt from reference manual addressing nonresponse bias in surveys; relied upon by Defendants' expert in forming his opinions	Dr. Stuart Gurea
DTX-033	U.S. Department of Agriculture, Food and Nutrition Service, 2013 State-Level Estimates of Infants and Pre-School-Age Children at or Below 185 Percent of Poverty (Sept. 1, 2015), https://fns-prod.azureedge.net/sites/default/files/wic/2013%20State-Level-Estimates-of-Infants-and-Pre-School-Age-Children-at-or%20....pdf	Estimates of the number of infants and children ages 1-4 in each state that were at or below 185 percent of poverty in 2013, for use in Women, Infants and Children funding formula for FYI 2016; relied upon by Defendants' expert in forming his opinions	Dr. Stuart Gurea

Exhibit Number	Description	Purpose/Substance	Sponsoring Witness
DTX-034	U.S. Census Bureau, 2010 Census Planning Memorandum Series No. 181, <i>2010 Census Federally Affiliated Overseas Count Operation Assessment Report</i> , Mar. 20, 2012	Quality assessment of count of U.S. military and federal civilian overseas employees and dependents in 2010 census, including results of counts; general background regarding census; relied upon by Defendants' expert in forming his opinions	Dr. John Abowd or Dr. Stuart Gurea
DTX-035	U.S. Census Bureau, Table 1: Apportionment Population and Number of Representatives, By State: 2010 Census, https://www.census.gov/2010census/news/pdf/apport2010_table1.pdf	Census Bureau report of apportionment population and number of representatives by state resulting from 2010 census; relied upon by Defendants' expert in forming his opinions	Dr. Stuart Gurea
DTX-036	U.S. Census Bureau, What is the 1990 Undercount?, https://www.census.gov/dmd/www/techdoc1.html	Census Bureau's summary of undercount in 1990 census; general background regarding census; relied upon by Defendants' expert in forming his opinions	Dr. John Abowd or Dr. Stuart Gurea
DTX-037	U.S. Census Bureau, Congressional Apportionment: Computing Apportionment, https://www.census.gov/population/apportionment/about/computing.html	Census Bureau's description of how apportionment is calculated using the method of equal proportions; relied upon by Defendants' expert in forming his opinions	Dr. Stuart Gurea
DTX-038	U.S. Census Bureau, Priority Values for 2010 Census, https://www.census.gov/population/apportionment/files/Priority%20Values%202010.xls	Priority values by state for 2010 census, used to calculate apportionment; relied upon by Defendants' expert in forming his opinions	Dr. Stuart Gurea
DTX-039	U.S. Census Bureau, 2000 Ranking of Priority Values, Feb. 21, 2001, https://www.census.gov/population/apportionment/files/00pvalues.txt	Priority values by state for 2000 census, used to calculate apportionment relied upon by Defendants' expert in forming his opinions	Dr. Stuart Gurea

Exhibit Number	Description	Purpose/Substance	Sponsoring Witness
DTX-040	U.S. Census Bureau, 1990 Ranking of Priority Values, Oct. 17, 2000, https://www.census.gov/population/apportionment/files/90pvalues.txt	Priority values by state for 1990 census, used to calculate apportionment relied upon by Defendants' expert in forming his opinions	Dr. Stuart Gurea
DTX-041	U.S. Census Bureau, Congressional Apportionment: About, https://www.census.gov/topics/public-sector/congressional-apportionment/about.html	Census Bureau's description of the apportionment process and calculation; relied upon by Defendants' expert in forming his opinions	Dr. Stuart Gurea
DTX-042	U.S. Census Bureau, Memorandum 2018.10: Release of the 2020 Census Nonresponse Followup Operation (NRFU) Detailed Operational Plan, Apr. 16, 2018, https://census.gov/programs-surveys/decennial-census/2020-census/planning-management/memo-series/2020-memo-2018_10.html	Census Bureau's statement on release of NRFU detailed operational plan (DTX-029); relied upon by Defendants' expert in forming his opinions	Dr. John Abowd or Dr. Stuart Gurea

CERTIFICATE OF SERVICE

Case Name: **State of California, et al. v.
Wilbur L. Ross, et al.**

No. **3:18-cv-01865**

I hereby certify that on December 21, 2018, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

JOINT PRETRIAL STATEMENT AND [PROPOSED] ORDER

I certify that **all** participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on December 21, 2018, at Sacramento, California.

Tracie L. Campbell

Declarant

/s/ Tracie Campbell

Signature

SA2018100904
13377936.docx